PROCEEDINGS

OF THE

TRAVANCORE

SRI CHITRA STATE COUNCIL

Vol. XII

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PROCEEDINGS

of the

TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

THIRD SESSION.

Saturday, the 23rd July, 1938/8th Karkatakam, 1113.

(*OFFICIAL REPORT*)

Vol. XII—No. 1.

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of the

TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

THIRD SESSION.

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(OFFICIAL REPORT)

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SECOND COUNCIL.

THIRD SESSION.

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(OFFICIAL REPORT)

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of the

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SECOND COUNCIL.

THIRD SESSION.

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SECOND COUNCIL.

THIRD SESSION.

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of the

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SECOND COUNCIL.

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(*OFFICIAL REPORT*)

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of the

TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

THIRD SESSION.

Friday, the 19th August, 1938/3rd Chingam, 1114

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PROCEEDINGS

of the

TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

THIRD SESSION.

Monday, the 22nd August, 1938/6th Chingam, 1114

(OFFICIAL REPORT)

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PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XII—NUMBER 1.

THIRD SESSION—1938/1113.

Saturday, the 23rd July, 1938/8th Karkatakam 1113.

The Council met in Joint Session with the Sri Mulam Assembly in the Victoria Jubilee Town Hall, at Eleven of the Clock, the President, Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., Dewan of Travancore, Presiding.

Mr. C. P. Skrine, I. C. S., O. B. E., Resident for the Madras States who was present was seated along with the Dewan on the Dais.

Mr. K. J. CHERIYAN (*Acting Financial Secretary to Government*):

Sir, I rise to present the Budget Estimates for the year 1114.

Before reviewing the financial position for the current and ensuing years, I shall, as usual, explain briefly the results of the last completed financial year (1112).

ACTUALS OF 1112.

2. The ordinary revenue and expenditure charged to revenue for the year 1112 were Rs 256·41 lakhs and Rs 241·62 lakhs respectively against the revised estimates of Rs 251·54 lakhs and

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Rs 240·02 lakhs. The year thus closed with a surplus of Rs 14·79 lakhs against Rs 11·52 lakhs anticipated in the revised estimates for the year. But, as explained in the previous two budget speeches, Rs 12 lakhs out of the above revenue surplus was transferred to the credit of the Revenue Reserve Fund with a view to provide for special and capital expenditure and also to meet unforeseen fall of revenue. The net surplus for the year was thus reduced to Rs 2·79 lakhs.

The revenue for the year exceeded the revised estimate by Rs 4·87 lakhs. The improvement in revenue was chiefly under Land Revenue (2·06), Salt (·42), Customs (·90), Stamps (·47) and Stationery and Printing (·57). Under Land Revenue, the increase was due to better collections of Ayacut Revenue. The improvement in Salt revenue was under Duty on salt, due to larger consumption of salt. Under Customs, the increase was under Export duty and also under Duty on tea. The increase in Stamp revenue was due to larger sales of General Stamps. Under Stationery and Printing, the increase was due to the sale of Malayalam Readers and copy books. Forest Revenue was however less than the revised estimate by Rs ·43 of a lakh due to less receipts from the sale of Royal trees and jungle wood by Government agency.

The actual expenditure of the year excluding the contribution of Rs. 12 lakhs to the Revenue Reserve Fund amounted to Rs 241·62 lakhs and was in excess of the revised estimate by Rs 1·60 lakhs. The increase in expenditure was mainly under Interest (1·26), Political pensions (·53), and Superannuation allowances and pensions (·82). Under Interest, the increase was due to the larger investments in the Savings Bank. Payment of previous years' arrears of pension during the year accounts for the increase under Political Pensions. The increase under Superannuation allowances and Pensions, was due to the general increase in the number of retirements.

On the capital side, the receipts from the sale of Government lands and Capital Expenditure not charged to revenue amounted to Rs 1·31 lakhs and Rs 11·12 lakhs respectively against the revised estimates of Rs 1·40 lakhs and Rs 18·90 lakhs. A sum of Rs 2·54 lakhs was also written off the accounts during the year as loss on investment in the State-aided Bank Ltd., Alleppey, in accordance with the terms of the tentative agreement with the Bank, dated September 1936.

As a result of the year's transactions, both ordinary and capital, including loss written off, the Government Account balance which was expected to stand at Rs 74·61 lakhs in the Revised estimates for 1112 was reduced to Rs 73·58 lakhs at the close of the year.

REVISED ESTIMATES FOR 1113.

3. The Budget estimates for the current year were for a total revenue of Rs 249·48 lakhs and provided for a programme of expenditure of Rs 246·88 lakhs resulting in a revenue surplus of Rs 2·60 lakhs. On the basis of the actuals so far available, the revenue is expected to stand at Rs 251·06 lakhs and the expenditure charged to Revenue at Rs 250·06 lakhs. The current year is thus expected to close with a small revenue surplus of Rs 1·00 lakh against Rs 2·60 lakhs anticipated in the Budget. The ordinary revenue for the year is expected to be better than the original budget anticipation by Rs 1·58 lakhs being the net result of an improvement in revenue to the extent of Rs 5·71 lakhs under some of the major heads of revenue and a decline of Rs 4·13 lakhs under others. The expected improvement in revenue is mainly under Land Revenue (·40), Customs (1·00), Excise duty on matches (·70), Education (·50), Buildings, Communications and Miscellaneous Public Improvements (·50) and Commercial Transport (1·15). Under Land Revenue, the increase is due to better receipts under Ordinary Revenue and Miscellaneous. I may mention here that owing to the severe drought of 1112 and insufficiency of water to irrigate lands in Thovala, Agastiswaram and Kalkulam taluks, remission of tax for the Kanni crop of 1113 in respect of an extent of 25,276 acres amounting to Rs 1·09 lakhs was sanctioned by Government. The increase under Customs is due to the improvement, to the extent of Rs 4·30 lakhs, under duty on exports including tea, off-set by a decline of Rs 3·13 lakhs under Cochin Harbour Receipts, due mainly to the fall in imports of sugar owing to the policy of sugar protection. While framing the Budget estimates for the current year, it was assumed that the net customs revenue in the Cochin Port for the year ended March 1937 would amount to at least Rs 49·00 lakhs and our share of the net collections would amount to Rs 16·50 lakhs. A revenue of Rs 12·40 lakhs was thus expected from this source after deducting the import duty collected in our ports from Quilon to Munambam and also the duty collected on Jaffna tobacco. But, owing to the absence of the import of Java sugar through the

Cochin Port, the net revenue collected in the Cochin Port for the year ended March 1937 amounted to Bh. Rs 34·57 lakhs only and consequently, our share after deducting the export duty realised in the ports above mentioned and the duty on Jaffna tobacco, which have to be surrendered to the common pool, amounted to Rs 9·26 lakhs only. Under Excise duty on matches, the increase is under contribution from the Government of India out of the pool of the receipts for the whole of India for the year ended March 1937 which amounted to Rs 3·22 lakhs, as against Rs 1·92 lakhs in 1936. Under Education, the expected increase is under fees from schools and 'Examination fees. The increase under Buildings, Communications and Miscellaneous Public Improvements is due mainly to increased receipts under subventions from the Road Development Account of the Government of India which amounted to Rs 2·23 lakhs against Rs 2·00 lakhs only anticipated in the budget. In accordance with the scheme referred to in the last budget speech, the control of bus traffic has been taken over by Government and the Trivandrum-Nagercoil-Cape bus service was opened from 10th Kumbhom 1113. Subsequently, the Trivandrum-Nedumangad line and the Town Bus service were also taken under Government control. The net receipts from the scheme during the current year are expected to amount to Rs 1·15 lakhs after providing for interest on capital, and depreciation. Decreases are expected under some of the Major heads of revenue of which the most important one is Excise (2·60). As a result of the special measures adopted during the current year to check effectively the smuggling of tobacco through the frontiers, it was expected when the budget estimates were framed that a revenue of at least Rs 25·00 lakhs would be realised under tobacco. But, on the basis of the actual receipts so far realised a revenue of Rs 23·35 lakhs only is estimated from this source. Under Abkari and Opium also, the revenue is expected to fall short of the budget anticipation by Rs ·95 of a lakh due mainly to the slow progress in the collection of arrears of Excise Revenue.

4. Coming to the expenditure side, the revised estimate for the current year is for a net increase of Rs 3·18 lakhs over the budget estimate for the year. The items which contribute to this increase are mainly Interest (·73), Panivagai (·68), Medical, Public Health and Sanitation (·99), Public Works (1·28), Miscellaneous Political Expenditure (1·41) and Superannuation allowances and Pensions (·76). The increase under 'Interest'

is due to the provision for payment of interest on the rapidly increasing Savings Bank deposits and on the special loans. Under Panivagai the increase is due to the additional allotment sanctioned during the year. The contribution of Bh. Rs 1 lakh towards the All-India Anti Tuberculosis Programme accounts for the increased expenditure under Medical, Public Health and Sanitation. The increase under Public Works is due to the additional allotment sanctioned during the year for urgent works. Increased expenditure under catering for State guests, Birthday Celebrations of His Highness the Maharaja and other charges accounts for the increase under Miscellaneous Political Expenditure. Under Superannuation allowances and Pensions, the expected increase is on account of increase in the retirement list.

Savings in expenditure are also expected under "His Highness the Maharaja's Tours outside the State" (·90), Education (.41), Maramat (·43), and Army (·98). Under "His Highness the Maharaja's tours outside the State", the major portion of the budget grant is expected to lapse since the only tour of His Highness during the year was a short one to Waltair. The savings under salaries and establishment charges account for the decrease under Education. The amalgamation of the Maramat department with the P. W. D. after the passing of the budget estimates for the year and savings in the allotment provided for Maramat works, account for the less expenditure under Maramat. Under Army, the expected saving is chiefly under salaries and establishment charges due mainly to the strength of the Forces not having been brought up to the full sanctioned number.

5. On the Capital section, sale proceeds of Government lands are expected to bring in Rs 1·35 lakhs against the budget estimate of Rs 2 lakhs and the Miscellaneous receipts from the sale of Government Distillery at Nagercoil and the Tincture Factory, to the Travancore Sugars and Chemicals Ltd., are expected to bring in Rs 2·01 lakhs. The capital outlay on our non-productive schemes and works is now expected to stand revised at Rs 30·75 lakhs against the budgeted expenditure of Rs 38·32 lakhs. The loss on our investments in the Travancore Sugars Ltd., Thuckalay, amounting to Rs 1·58 lakhs is also proposed to be written off the accounts of this year as capital loss. A net outgoing of Rs 27·98 lakhs is thus expected against Rs 33·29 lakhs anticipated in the budget. The Government Account balance which was Rs 73·58 lakhs at the beginning of the year is now expected to be reduced to Rs 45·60 lakhs at the close of the current year.

BUDGET ESTIMATES FOR 1114.

6. The following are some of the more important changes in the classification of Budget heads made in the next year's Budget Estimates:—

(i) On the receipt side two major heads have been opened under the Group head Commercial Services, one to exhibit the details of the gross receipts and working expenses of the Commercial Transport Department and the other of the Clay refining and Porcelain Factory.

(ii) A new sub head " Department of the Director of Development" has been opened under 6. Forests and provision is made under this head for the salary of the Director of Development, his staff and contingencies.

(iii) The Legal Remembrancer appointed as a result of the abolition of the Law Member's appointment is treated as a Secretariat Officer and accordingly provision for his salary as well as his staff and contingencies, is made under a new sub head "Legal Remembrancer" opened under 15. General Administration.

(iv) The Photograph department has been amalgamated with the Press Room and placed under the control of the Director of Information and provision for the reconstituted department of the Director of Information is included in the next year's budget under a separate sub head under 15. A. General Administration.

(v) The Superintendent, Government Press, has been divested of his control in the Central Prison Press which has been placed under the Superintendent, Central Prison. Accordingly the provision for the Central Prison Press is made under a separate new head "Central Prison Press" under 17. Jails.

(vi) With the constitution of the Travancore University and the transfer of the Colleges, the Collegiate Hostels and some of the other allied institutions to that body, provision has been omitted for the running of the above institutions in the budget estimate of the next year. The receipts pertaining to these institutions have also

been surrendered to the University and the next year's budget has not taken credit for the expected receipts from these institutions. A lump provision of Rs 8 lakhs proposed for payment by way of grant to the University from the General Revenues is provided for under a separate head under 20. Education.

(vii) The provision for the pay of the Officer and staff deputed for taking stock of the vessels in the Utsavamatom is shown under a minor head newly opened in the next year's budget.

(viii) Provision for the continuance of the Poultry Farm hitherto included under 21. B. Agricultural Farms and Depots has been separated and is shown in the next year's budget under a separate minor head "Poultry Farm" under 21. Agriculture and Fisheries.

7. I shall now proceed to the Budget Estimates of the coming year. The revenue is estimated at Rs 261·41 lakhs which is the highest on record and an expenditure charged to revenue of Rs 259·98 lakhs has been provided for, leaving a revenue surplus of Rs 1·43 lakhs. It is a matter for satisfaction that this increase has taken place without resort to any fresh taxation measures. This is a conservative estimate and if our anticipations are realised, our revenue may easily mount up to Rs 265 lakhs leaving a surplus of about Rs 5·5 lakhs. Sale proceeds of Government lands are expected to bring in Rs 2·5 lakhs and our programme of Capital Expenditure on non-productive works is estimated at Rs 33·5 lakhs, the productive works aggregating to Rs 45·53 lakhs being provided for under Debt Heads.

Revenue.

The revenue budgeted for the ensuing year is Rs 261·41 lakhs as against the current year's revised estimate of Rs 251·06 lakhs. While improvement in revenue to the extent of Rs 13·42 lakhs is expected under some of the major heads, chiefly Taxes on Income (·51), Excise (1·76), Customs (5·58), Forest (·50), Interest (1·02), Commercial Transport (2·10) and Ceramic Factory (·95), decreases to the extent of Rs 3·06 lakhs are anticipated under others. The expected increase under Income Tax is mainly under income from business as a result of the

revision of rates and the measures adopted against evasion of payment of tax. The increase of Rs 1·76 lakhs under Excise is expected both from Tobacco and Abkari and Opium to the extent of Rs 1·05 lakhs and Rs ·71 of a lakh respectively. It is expected that on account of the special measures adopted to check effectively the smuggling of tobacco through the frontiers, which have just now begun to operate effectively, the improvement in revenue anticipated for the next year will be realised. Under Abkari and Opium, the expected increase is based on the results of the auction sales for the bienniel contract of 1114–16. [The large increase anticipated under Customs is mainly under receipts from the Cochin Harbour Scheme which are expected to amount to Rs 14·92 lakhs in the next year as against the current year's receipt of Rs 9·26 lakhs. As a result of the separation of Burmah from India under the Reforms, the duty on petrol and oil which was till then treated as Excise Revenue by the Government of India is classed as Customs Revenue and the duty realised at the Port of Cochin on petrol and oil is also pooled for division. Consequently, the net revenue available for division for the year ended March 1938 according to the preliminary figures, exceeds Rs 1 crore and our share according to the revised agreement amounts to B. Rs 19·76 lakhs, comprising Rs 19·02 lakhs from the Government of India including duty already collected by us and Rs ·74 of a lakh due from the Government of Cochin on account of duty on Jaffna tobacco pooled for division prior to 1936–1937. In this connection, I am glad to inform the House that as a result of negotiations, the Government of India have agreed to pay in advance 90 per cent. of our share on the basis of the preliminary figures and the balance of 10 per cent. as soon as the final figures are settled so that there may not be any loss of interest.] Forest revenue is expected to be more than the current year's revised estimate by Rs ·5 of a lakh due mainly to the better prices already secured for soft woods as a result of the activities of the new Director of Development. The anticipated increase under Interest is due to the adjustment of interest on the increasing outlay on the Capital schemes including the Pallivasal Hydro-Electric Scheme. Under Commercial Transport, the increased revenue anticipated in the next year is due partly to the natural expansion of existing traffic and partly also to the taking over of other lines under State control, especially the one from Alwaye to Munnar and Water Transport from Alwaye to Cochin. The Ceramic Factory at Kundara

is expected to start work from the beginning of the next year and a net revenue of Rs ·95 of a lakh is expected to be realised from this source as offers have been received for purchase of all our output.

During the year under reference, with the concurrence of the Government of India, the Sirkar half rupee coin which is now styled as "Chitra" has been declared unlimited legal tender. Silver coins to the extent of Rs 2 lakhs were minted resulting in a revenue credit of Rs 1·04 lakhs by way of profit. It is proposed to mint an additional lakh of rupees worth of 'Chitra' in 1114 giving a profit of Rs 40,000.

The anticipated fall in the next year as compared with the revised estimates is mainly under Education (1·69) and Buildings, Communications and Miscellaneous Public Improvements (·50). The decrease under Education is due to the transfer of the Colleges and Hostels attached thereto to the Travancore University. Under Buildings, Communications and Miscellaneous Public Improvements, the expected fall is under Tolls.

EXPENDITURE CHARGED TO REVENUE.

9. The next year's programme of expenditure for the various departments has, as usual, been scrutinised carefully both by the Government and the Finance Committee and the allocation of funds fixed with due regard to the resources of the State on the one hand and the needs of a progressive administration on the other. The total expenditure provided for in the next year's Budget is Rs 259·98 lakhs which is in excess of the current year's revised estimate by Rs 9·92 lakhs. I shall now proceed to deal with the more important items.

10. *Land Revenue.* The Jenmikaram Settlement work which was commenced in the year 1108 is practically completed and the number of cases yet remaining to be disposed of is only very small. To attend to these pending cases, as also to wind up the Jenmikaram Settlement work, which involves the preparation of a Jenmikaram register, the issue of perpidi, pidipad, etc., it is proposed to continue for the next year also the present reduced temporary staff for Jenmikaram Settlement work. Provision has also been made for the revision of Volume II of the Land Revenue Manual, so as to make it current up to 1st Chingom 1113 by incorporating therein all the changes and deleting the cancelled G. Os. up to that date. The temporary staff appointed last year for the survey of minor circuits is proposed to be continued next year also and the necessary provision

has been made under capital expenditure. Funds have been provided for the continuance of the Survey School at Kottayam as also for the arrangements for the demarcation and survey of encroachments within the Cardamom Hills Reserve.

11. *Income Tax.* As announced to the House this time last year, the services of a retired officer of the British Indian Income-Tax Department were secured by the Government for advising them on matters connected with the reorganisation and improvement of the Income Tax Department. On the advice of this Officer, who has now returned after finishing his work, it has been decided to form a separate and self-contained Income Tax Department divesting the Division Peishkars, Assistant Peishkars and Tahsildars of income tax work, the Land Revenue Commissioner however, continuing to be the head of the Income Tax Department. This Department consists of a Deputy Commissioner of Income Tax, with three full-time Collectors of Income Tax. Provision has been made in the budget for the reorganised Income Tax Department.

12. *Excise.* The House was informed last year that the Government were then contemplating the reorganisation of the Excise Department with a view to prevent the smuggling of tobacco in the frontier. This scheme was brought into effect from 1st Vrischigom 1113 and its effects will be perceived in the course of the coming year. But it is hoped that when the scheme has worked for some time more, the results would fulfil Government's expectations. Provision has accordingly been made for the working of the scheme next year also.

13. *Forests.* Over and above the usual provision for the normal activities of the Forest Department, a special provision of Rs 1·5 lakhs has been made in the next year's budget of the Department for investigating and giving effect to certain proposals for improving the revenue from our forest resources. For this purpose, the services of Mr. Kamesam, the Timber Expert of the Government of India have been secured on loan for a period of 3 years. He is considering proposals for utilising to the best advantage the various specimens of timber in our forests. He hopes that by subjecting the timber in our forests to a process of Ascu treatment, it would be possible to use such timber instead of steel and cement in the construction of bridges. This, if found successful, will result in substantial saving in the P. W. D. expenditure. Important experimental

works such as the manufacture of pressed boards, artificial silk, wood and charcoal gas for power and illumination, sporting goods, metallised cart-wheel rims and cement and bamboo pulp boards are also proposed to be taken up by him. For the next year, a modest estimate of Rs 60,000 on the receipt side has been made under 'sale of soft wood' Mr. Kamesam has already succeeded in practically doubling our receipts from the sale of soft woods.

14. *General Administration.* The period of three years for which the appointment of the Public Service Commissioner was made, expired on the 30th of Dhanu 1113. It is proposed to continue the services of the Commissioner and his staff next year also.

15. *Administration of Justice.* The next year's budget has provided for the continuance of the existing temporary Second Judges' Courts, the temporary Munsiffs' Courts and the Debt Conciliation Boards.

16. *Education.* The expenditure next year is estimated at Rs 52·63 lakhs or Rs 3·39 lakhs more than the revised estimates for the current year, due to the provision of funds for the Travancore University.

17. *The Travancore University.* The House is already aware that the establishment of a University of its own for Travancore is now an accomplished fact. Besides the usual Faculties of Law and Arts, the University also provides for technical faculties such as Engineering, Fisheries, Textile Technology etc. Educational Institutions such as the Colleges of Science and Arts, Law and Training Colleges, Sanskrit College, Collegiate Hostels and Educational Museum and Bureau, as also some of the minor departments such as the Observatory, the Public Library, the School of Arts, the Museum and the Carpentry and Smithery Schools have been transferred to the control of the University and the receipts and expenditure of these institutions will be shown in the University Budget. In accordance with the provisions of the University Regulation and Statutes framed thereunder, the detailed budget of the University will be considered by the Senate, while the aggregate expenditure on the University is shown in the State Budget as a lump sum grant. A grant of Rs 8 lakhs (Rs 5·5 lakhs for ordinary expenditure and Rs 2·5 lakhs for capital expenditure) is proposed for the next year for the University. This amount includes, in addition to the normal expenditure incurred by Government on

the various institutions transferred as already mentioned, to the University, a sum of about Rs 1·50 lakhs for their natural and legitimate expansion and for new schemes to be undertaken by the University. An increased provision has been made under 'grants to private Colleges,' as it is expected that the University will have to sanction a substantial building grant to the St. Berchman's College, Changanacherry. It is proposed to conduct Diploma and Certificate Courses in Textile Technology under the Faculty of Technology of the University. An Engineering College providing Degree, Diploma and Certificate courses in Civil, Mechanical and Electrical Engineering is also proposed to be started from the beginning of the academic year 1939-40. Under the Department of Research, a few Fellowships and Studentships are proposed to be instituted with a view to the encouragement of Research work particularly in applied sciences. Under the Department of Marine Biology and Fisheries, provision has been made for an Aquarium and Marine Biological Laboratory. There is also a Faculty of Oriental Studies and Fine Arts, aiming to promote the appreciation of Arts among the students and the public and to effect a general elevation of taste. The University also proposes to make arrangements for the production of books of modern scientific knowledge in Malayalam and with this end in view, a publication department is also proposed to be attached to the University. The University also hopes to make ample provision for games and athletic activities and a separate Physical Education Department as also a University Union, a Training Corps and such other institutions designed to develop a sense of corporate life among students. Under capital expenditure, a provision of Rs 2·5 lakhs has been made for the construction of buildings for the Convocation Hall and Senate House, the Engineering College, the University Library and for the equipment of the Engineering College besides a provision of Rs 2 lakhs in the General Budget for the reorganisation of the workshop now attached to the Public Works Department, so as to make it serve the needs both of Government Departments and of the Engineering College and for other works. With this small beginning, it is hoped that University will enter on an era of progress and achievement.

18. *Agriculture and Fisheries.* It is proposed to strengthen the executive staff of the Department in order to enable the Departmental officers to have closer contact with the agriculturists and to do propaganda work on a more intensive scale.

Provision has also been made for the purchase of a cinema operator with the necessary equipments for doing propaganda work in agriculture. The Agricultural School at Kottarakara and the Kari Experimental Farm at Porakad are to be continued.

Intimately connected with the question of improving the livestock in this country is the question of improving the grazing lands in the State. The general question of improvement of grass lands came up for the consideration of the Imperial Council of Agricultural Research last year and Dr. W. Burns, the Agricultural Expert of the Council, drew up a scheme on the subject which has been recommended to all the constituent States including Travancore. The scheme is simple and costs very little. The proposal is to select from any grazing reserve two similar and adjacent plots of about 20 acres each, enclose one for controlled grazing and leave the other for indiscriminate grazing as at present. Within each of these blocks small movable fences will be erected to enclose random representative plots from which cattle will be excluded and the grass growing thereon in similar intervals of time will be cut and weighed to compare results and estimate improvements. As the expenditure involved in the experiment is but small in comparison with the importance of the problem of improvement of livestock, it is proposed to give the experiment a fair trial.

On the report of the Director of Agriculture and Fisheries and the recommendation of the Board of Agriculture, arrangements have been made to open, as an experimental measure in the first instance, two Quarantine stations, one at Aramboly and the other at Karukutty for preventing the import into this State of cattle from outside infected with contagious and infectious diseases such as rinder-pest etc.

The opening of a fish curing yard at Warkalai to render adequate facilities to the fisherfolk of the locality for drying and curing the fish caught by them has also been provided for. Provision has also been made for working the Cold Storage plant at Trivandrum.

19. *Industries.* Enquiries having reached Government for the purchase, if available, of such minerals as mica, graphite and limestone for which there is an increasing demand in the foreign markets, the Director has reported that an organised attempt may be made to mine them on a commercial basis and provision has therefore been made in the Industries Budget for starting an intensive prospecting work in respect of these minerals in order to investigate and explore the possibilities in this direction.

The Trade Agency and Sales Depot at Bombay which was opened as a Government concern for popularising and extending the introduction of Travancore products into the foreign markets is proposed to be handed over to an agency initiated by the various Chambers of Commerce in the State who are naturally interested in the industrial and trading activities of the State. The Sales Depot at Trivandrum has been doing useful work and its continuance has been provided for.

20. *Co-operative Department.* It has been brought to the notice of Government that there is some tardiness in the progress of liquidation work in the Co-operative Department owing to the inadequacy of the executive staff. To remedy this state of affairs, an additional temporary staff of 10 Inspectors for liquidation work is proposed to be appointed next year. The usual subsidies to non-official Co-operative bodies such as the Supervising Unions and Co-operative Conferences are proposed to be continued next year also. The payment of an annual subsidy of Rs 500 to the Gorasa Vyavasaya Co-operative Society Ltd., Neyyattinkara, has also been provided for. Provision has also been made for placing the services of a trained Inspector of Co-operative Societies at the disposal of the Central Produce Society Ltd., Alleppey, a Co-operative Non-Credit Society organised on the recommendation of the Devadhar Committee.

21. *Uplift of Backward Communities.* It has always been the aim of Government to increase, as far as possible, from year to year, the budget allotment for expenditure on account of ameliorative measures for the uplift of Backward communities and for the ensuing year a provision of Rs 40,000 (Rs 30,000 in the Revenue Budget and Rs 10,000 under Debt Heads for the advance of loans to Backward communities for putting up houses) has been made as against the current year's provision of Rs 20,000. The main items of ameliorative work carried out by the Department for the protection of Backward communities are the grant of educational concessions such as the supply of books and school accessories to children of Backward communities, the award of grants-in-aid for industrial purposes, concessional registry of land in favour of members of Backward communities, the provision of wells, burial grounds, common buildings and other amenities and the establishment of model colonies where members of Backward communities are provided

house-sites at Government cost and are trained to live in healthy sanitary surroundings engaging themselves in remunerative occupations.

It may be seen that besides the ameliorative measures provided for under this head, expenditure is being incurred by the Departments of Education, Industries, Land Revenue and Public Works. During the current year, three centres for intensive work were selected for the establishment of colonies for the Backward communities. The sites for the establishment of these colonies have been selected and where Government lands are not available, private lands are being acquired. Owing to the delay in land acquisition proceedings, it has not been possible to complete the work of establishing these colonies during the current year and so provision has been made in the next year's budget for the completion of the work.

The construction of dwelling houses for the colonies in an area of over 112 acres of land is making rapid progress. Besides special grants to individual applicants for the purchase of books and school accessories, the Department has also been arranging for the general supply of books to the children of Backward communities. The next year's budget includes a provision of Rs 4,000 for the free supply of text books to the pupils belonging to the Backward communities in the 3rd and 4th classes of the Vernacular Schools of the State. Another item for which special provision has been made in the budget of this Department is the conduct, under its auspices, of a free hostel at Trivandrum for the benefit of the pupils of Backward communities. Government have been granting some subsidy to the local branch of the Harijan Sevak Sangh towards the maintenance of their free Harijan Hostel. The Central Board of the All India Harijan Sevak Sangh having decided to stop their contribution towards the maintenance of this Hostel from the 1st July 1938, the authorities of the local branch of the Harijan Sevak Sangh have made a request for enhanced grant from the next year. As the continued existence of the Hostel depends primarily upon the financial aid rendered by Government, and as Government feel that an institution of this kind providing free boarding and accommodation for pupils of Backward communities should not be allowed to be closed down for want of adequate funds, it is proposed to enhance the grant from the next year and provision has been made accordingly in the budget for a grant of Rs 4,000.

22. *Medical.* Besides providing for the appointment of a small additional staff for the General Hospital, Trivandrum, as also in some other District Hospitals, funds have been included in the Medical Budget for the grant of honoraria to the Honorary House Surgeons attached to the more important of the District Hospitals. These Honorary House Surgeons do regular hospital work and thereby meet in some measure the demand for additional staff in the Medical Department.

23. *Public Health.* Vaccine to the value of about Rs 10,000 per year is now being purchased from the Pasteur Institute Coonoor, for anti-rabic treatment in the State. With a view to investigate the possibility of producing locally the vaccine required for anti-rabic treatment, the Superintendent of the Public Health Laboratory was trained in the King Institute, Guindy, in the methods of preparation of vaccine. He has submitted a scheme for the local production of all the vaccine required for use here, and for this purpose, a provision of Rs 8,215 has been included in the Public Health Budget. Of this Rs 7,500 constitutes the initial capital expenditure and the balance of Rs 715 represents the annual recurring expenditure.

The continuance of the existing health organisations in the taluks of Thovala, Agasteeswaram, Kalkulam, Vilavancode and Shencottah, as well as the production of cinema films for public health propaganda work have been provided for in the Budget.

24. *Public Works.* The allotment for ordinary public works expenditure for the next year including establishment charges and tools and plant is Rs 32·57 lakhs as against the current year's budget grant of Rs 32·26 lakhs, exclusive of the provision under Capital works for the Town Planning Scheme, the Council Chamber, University Buildings and Military works. Provision has been included in the P. W. D. Budget for a special staff to expedite the land acquisition proceedings so that sufficient progress may be made in the direction of improvements to irrigation works in the taluks of Neyyattinkara, Trivandrum, Nedumangad and a portion of the Vilavancode Taluk. Provision has also been made for the continuance of the temporary staff engaged in investigating the irrigation problem in South Travancore and the augmentation of the water of the Kodayar Supply.

25. A lump sum provision of Rs 3,000 is proposed to be placed under the control of the Economic Development Board for rendering financial help to Rural Development schemes.

CAPITAL EXPENDITURE

26. An aggregate sum of Rs 88·19 lakhs has been provided in the budget estimates of the next year for expenditure on the following Capital Schemes :—

Non-productive works.

		Rs.
Water supply schemes	...	13·22 lakhs.
Drainage Schemes	...	8·92 ,,
Town Planning Scheme	...	3·58 ,,
Miscellaneous works	...	7·78 ,,
Total	...	33·50 lakhs.

Productive Schemes under Debt Heads.

Pallivasal Hydro Electric Scheme	...	31·30 lakhs.
Telephone –Trunk line	...	5·99 ,,
Ceramic Factory	...	1·35 ,,
Broadcasting	...	1·50 ,,
Commercial Transport	...	4·15 ,,
Other Electrical Schemes	...	1·24 ,,
Total	...	45·53 lakhs
Loan to the Cochin Harbour authorities towards the 4th stage works	...	9·16 ,,
Grand total	...	88·19 lakhs.

I shall now proceed to explain the more important ones.

Water Works and Drainage.

27. *Willingdon Water Works—1st and 2nd Stage and Supplemental Works.* The 1st stage works are nearing completion and the accounts are being closed urgently. Under the 2nd stage works, the laying of mains over a length of 42 miles has been completed. The total length of mains laid under the 1st and 2nd stages till now is about 120 miles. The reconstruction of the Water Works Division Office has been completed and the building occupied on 10-1-1113. Due to the early setting in of the monsoon and the incessant rains and the consequent floods in the river at Aruvikarai, the construction of bathing ghats could not be proceeded with and completed. The total amount of expenditure at the end of the current year is expected to stand at Rs 57·40 lakhs. The next year's provision under

this head is Rs 1·04 lakhs. The amount of contribution recoverable from the Municipality for the year 1114, according to the arrangements already arrived at, is Rs 90,000.

28. *Water Supply Schemes to mofussil towns.*—

(1) *Nagercoil.* Against the sanctioned estimate of Rs 16·85 lakhs under the scheme, the expenditure to the end of the current year is expected to stand at Rs 7·22 lakhs nearly. The acquisition of lands for the work has been completed and works commenced. Foundation work connected with the construction of Dam and Head works has been started and the construction of the Low Level Reservoir has been put in hand. The supply of Hume Steel Pipes for the Gravitation Main and the Asbestos Cement Pipes for the Town Distribution System is in progress. The next year's provision for this item is Rs 6·53 lakhs.

(2) *Alleppey and Shencottah.* In these cases also, the works have commenced and are making good progress. Provision to the extent of Rs 4·33 lakhs and Rs 1·25 lakhs respectively has been made for 1114 for these items and it is expected that water will be made available by about the close of 1114.

29. *Water Supply to pilgrims at Sabarimala.*—The question of providing good drinking water to the pilgrims who congregate in large numbers at Sabarimala during the Makaravilakku festival had been engaging the attention of Government for some time past. A reconnaisance survey was conducted and the feasibility of pumping water from the Pumba River at the foot of the Sabarimala Hills up to the temple premises, a distance of about a mile and a half, investigated. The initial cost of the scheme is estimated at Rs. 38,000 and the annual recurring charge between Rs 150 and Rs 200. It is proposed to start the work and have it completed soon so as to make water available to pilgrims at the next Makaravilakku festival. The expenditure is debitable to Devaswom Fund budget.

30. *Drainage Scheme, Trivandrum.*—Sewer laying work for an aggregate length of 20 miles with the manholes and house branches on them has been completed. The construction of the Pumping Station at the Kuriathi Ela is expected to commence shortly. The provision for the next year under this item is Rs 8·52 lakhs, and besides this, a sum of Rs 25,000 is also provided for Sanitary Installation in Government Buildings.

A provision of Rs. 40,000 has also been included for a Drainage Scheme for the Alleppey Town.

31. *Town Planning Scheme.*—The expenditure on this scheme is expected to stand at Rs 9·5 lakhs at the close of this year and for the next year a sum of Rs 3·58 lakhs has been provided for the continuance of the works included in the scheme. The formation of a Special Town Planning Committee of the Trivandrum Municipal Council for drawing up a definite programme of work to be carried out under the Town Planning Scheme is in contemplation.

32. *The Council Chamber.*—The construction of the Council Chamber is making rapid progress and it is hoped that it would be possible very shortly to celebrate the Golden Jubilee of the Travancore Legislative Council. Water supply and electric fittings as also sanitary installations are proceeding side by side with the actual construction work. The expenditure on account of this work is expected to stand at Rs 1·68 lakhs at the close of the current year and for the next year the provision is Rs 1 lakh.

33. *Military Buildings.*—A regular programme of building construction is going on vigorously in the premises of the Military Head Quarters at Pangode to meet the needs of the general re-organisation of the State Forces. Buildings which were in progress last year are nearing completion and new ones also are being taken up. The total expenditure on the buildings is expected to stand at Rs 10·2 lakhs at the close of the current year and a provision of Rs 3 lakhs has been made in the next year's budget for the completion of the buildings already taken up and the construction of new ones which are found to be absolutely necessary.

34. *Railways.*—The capital charge for the Quilon-Trivandrum Railway and the Chackai-Thambanoor Extension at the close of the year ending 31st March 1937 was Bh Rs 53·63 lakhs and Rs 28·33 lakhs respectively. The budget estimate for 1114 provides for a net credit of Rs 29,600 on account of the relinquishment of lands acquired for Railway purposes at the old station at Chackai. The agreement between the Secretary of State and this Government for the working of the Chackai-Thambanoor Railway Extension is still pending, and the Extension is provisionally worked by the South Indian Railway Company as part of the Quilon-Trivandrum Section of the Travancore Railway.

The working of the Railway resulted in a loss of Bh. Rs 42,874 for the year ending 31st March 1938 representing the deficit in the interest guaranteed by the Government, the amount being worked out on yearly calculations in place of the

half-yearly calculations hitherto followed, according to the revised orders of the Government of India. A sum of Bh Rs 15,052 has also been refunded by the Railway Company as a result of the acceptance by the Government of India of our contention that the loss in the working of the Travancore Railway should be apportioned between the Government of India and this Government in proportion to the capital outlay incurred on British and Indian State Sections of the Tinnevelly-Quilon line alone.

In this connection I am glad to inform the House that though the Government of India considered in 1932 that our contention that the advances made by the Secretary of State for India for discharge of Debentures should be charged interest at 3½ per cent only was unjustified, they have, as a result of our representation, now agreed to charge interest on such advances at 3½ per cent only. The saving involved is about Rupees half a lakh.

COMMERCIAL UNDERTAKINGS.

35. *Pallivasal Hydro Electric Project.*—Last year the House was informed that the original Power House for the project was found to be not quite satisfactory and that therefore a new Power House at a new site had to be constructed. The new Transformer Yard at Pallivasal has been fixed and the erection in the Yard is in progress. The new Power House building is under construction and I am glad to report that solid rock foundations have been obtained therefor. It is hoped that the installation of the machinery could be done by about the 3rd quarter of the next year. It is anticipated that the scheme will be in commercial service for about 3 months next year and an approximate revenue of Rs 1 lakh has been provided in the next year's budget under this scheme. The total expenditure as at the end of the current year is expected to be Rs 106·24 lakhs and the next year's provision is Rs 31·30 lakhs. Judging by the experience of similar works elsewhere such as Pykara and Mysore, the Scheme should be able to pay a substantial return on the outlay from the second year of its operation.

As power from the Power House at Pallivasal is not yet available, a small Power House has been built as a temporary measure at Kalamassery with second hand generating sets purchased from Coimbatore for meeting the demand for the supply of power to the Sri Chitra Mills, Alwaye. This had to be done in order to secure the market for electric supply and to avoid

the installation of thermal stations by possible consumers. The Municipal Town of Alwaye has also been brought under electric supply very recently.

In accordance with the present anticipations and forecast of revenue and expenditure, the scheme is expected to meet interest, depreciation and sinking fund charges and operation expenses within three years from the commencement of the supply.

36. *Trivandrum Electric Supply.*—The total cost of this scheme is expected to be Rs 10·73 lakhs at the close of the current year and Rs 11·46 lakhs at the close of the next year. The present generation is 1·3 million units as against 1·17 million units last year. The number of consumers is also steadily increasing. The gross receipts for the current year are estimated at Rs 2·51 lakhs and for the next year at Rs 2·55 lakhs. Substantial reductions in the tariffs have also been made this year.

37. *Quilon Electric Supply.*—The capital outlay on this undertaking is expected to stand at Rs 2·84 lakhs at the close of this year and at Rs 3·21 lakhs at the close of the next year. The gross revenue for the current year is estimated to be Rs ·91 of a lakh while for the next year, the receipts are anticipated to be Rs 1·37 lakhs. The depreciation and reserve funds opened for the Electric and Telephone Schemes are expected to amount to Rs 5·39 lakhs and Rs 2·03 lakhs respectively.

38. *The Trunk Telephone Scheme.*—Since we met here this time last year, negotiations between the Government of India and this Government for the execution of a Trunk Telephone Scheme have been completed. An experienced officer, who was until recently in the Indian Posts and Telegraphs Department, has been appointed as Telephone Engineer to design and construct the All-Travancore Trunk Telephone Scheme. An estimate of Rs 8 lakhs has been sanctioned for the work. But only about a fifth of the sanctioned estimate is expected to be spent this year as most of the materials required for the construction of the scheme will be arriving only at the beginning of next year. The scheme contemplates the linking of all the important towns in the State in addition to a net work specially to be constructed for the Pallivasal Hydro-Electric Scheme to facilitate operation. The survey works have already been completed for the line between Trivandrum and Nagercoil and the construction has just been started. It is proposed to use Ascu treated timber for most of the trunk telephone lines. For the next year a provision of Rs 5·99 lakhs has been made in the budget for the continuance of the work.

39. *Clay Refining and Porcelain Factory.*—The construction of the buildings for the factory is in rapid progress and the machinery is being fitted up. It is expected that the factory will actually begin to work very shortly. The total expenditure on account of the buildings and the machinery would be about Rs 4·74 lakhs at the close of the current year and a provision of Rs 1·35 lakhs has been made in the next year's budget for the completion of the buildings and machinery and the refining operations. A net revenue of Rs ·95 of a lakh is expected in the next year. This works up to 15 per cent. on the capital outlay.

40. *Commercial Transport.*—This scheme which was announced at the Budget Session of the Assembly and the Council last year, began actually to function in Kumbhom last with a fleet of 59 buses and 1 break-down lorry. Service was first started on the Trivandrum—Nagercoil—Cape and Nagercoil—Colachal routes. Later on, the Trivandrum Town Service and the Trivandrum - Nedumangad service were also taken up by the Transport Department. Just 3 days back *i. e.*, on the 5th of Karkatakam, Trivandrum—Quilon route also began to be served by the State Transport Scheme. On the whole, about 110 miles, besides the Trivandrum Town are now under operation. It is proposed to take over some of the feeder routes of the main Trivandrum—Cape Road for operation in the course of the next year. Negotiations for taking over the Transport business of the K. D. H. P. Co., have been practically completed. The investments up-to-date amount to Rs 5·85 lakhs and the net receipts for the current year after providing for interest on capital and depreciation, are expected to be Rs 1·15 lakhs. Government have every reason to hope that the scheme would give a substantial income on their outlay besides affording improved conveniences, and facilities to the travelling public in general. For the maintenance of the lines already opened and for the further expansion of the scheme, a lump sum provision of Rs 4·15 lakhs has been included in the budget for the next year.

41. *The State Land Mortgage Bank.*—The business of the State Land Mortgage Bank with all its assets and liabilities, is proposed to be transferred to the Travancore Credit Bank which, as the House is aware, was recently established as a Shareholders' Bank under Regulation IV of 1113 and which is expected to commence operations by about the middle of Chingom next. Provision has been made for the continuance of the

existing Land Mortgage Bank for one month in 1114, pending its actual absorption by the Credit Bank.

42. *State Life Insurance (Public Branch).*—The Public branch of the State Life Insurance scheme has just entered the fifth year of its operations. Its increasing popularity is evident from the huge volume of business secured in a short period of 4 years. 5376 proposals for nearly 49 lakhs have been received so far and policies assuring a total sum of Rs 34 lakhs have already been issued. The monthly premium receipts now range between Rs. 12,000 and Rs 15,000. The balance to the credit of the Fund stood at Rs. 2·26 lakhs at the beginning of the current year and it is expected that the Fund will have Rs 3·66 lakhs to its credit at the end of the year and Rs 5·41 lakhs at the end of 1114. The expense ratio is expected to remain at 14 per cent. or even below. The accounts of the Fund are kept separate and Government have no financial commitments with regard to the guarantee of interest as in the Official Scheme. In spite of this, the interest yield on the Fund is satisfactory and the actual yield for 1112 was well above 3 per cent.

43. *State Life Insurance (Official Branch).*—The policies in force at the beginning of the year were 643 and the Fund balance stood at Rs 4·5 lakhs.

The actuarial valuation of the Fund for the quinquennium ended 31st Karkatagom 1111 completed during the year, disclosed a surplus of Rs 99,932 including carried forwards from the previous valuations and a simple Reversionary Bonus of 1¼ per cent. per annum was declared.

44. *The State Provident Fund.*—The State Provident Fund was instituted in the year 1107 with the object of making provision for Government employees in their old age or for their families in case of their premature death. The scheme maintained its record of progress during the year also. It has become popular and up to 3rd Mithunam 1113, 11134 accounts have been opened of which 10418 are effective. The closing balance for the current year is expected to reach Rs 9·34 lakhs and Rs 11·54 lakhs at the end of 1114.

45. *Cochin Harbour.*—According to the agreement of 1925 one-third of the cost of the fourth stage works in the Harbour estimated to cost Bh. Rs 92·83 lakhs is payable by this Government. Of this Rs 22 lakhs has already been paid and a provision of

Rs 9·16 lakhs has been made for final payment in the next year. The share payable by this Government towards the purchase of a Dredging Plant for the Harbour has been paid to the Harbour authorities and repayments in respect of the loan advanced last year have already begun with interest at 4 per cent. per annum.

46. *Assets and Liabilities.*— I furnish on pages 11 and 12 of the budget estimates the usual statements of assets and liabilities. The Government balance at the end of the next year is estimated at Rs 90·36 lakhs including the General Reserve Fund of Rs 60·55 lakhs, the Revenue Reserve Fund of Rs 12 lakhs and the Sinking Fund Reserve of Rs 15·79 lakhs. This includes the sum of Rs 184·38 lakhs representing the estimated expenditure on remunerative schemes shown under Debt Heads to the end of 1114. We have financed hitherto capital expenditure on schemes, both productive and non-productive, to the extent of Rs 3·75 crores. The Government five per cent. loan of 1091 has already been secured by investments in gilt-edged securities and the recent 3½ per cent. loan and special loans are more than covered by the value of our remunerative assets. Our gilt-edged surplus investments amount to Rs 150·29 lakhs and our other liquid assets to more than Rs 100 lakhs.

47. *Ways and Means.*— Our surplus investments in Government of India Securities and short-term deposits in Banks which stood at Rs 196·09 lakhs at the beginning of the year are expected to stand at Rs 202·20 lakhs at the close of the year on account of further investments during the year in short-term deposits. Our closing cash balances at the end of the current year are estimated at Rs 52·16 lakhs.

With a view to finance the estimated programme of our capital schemes both productive and non-productive and to maintain adequate cash balance in our Treasuries and the Banks, it is proposed to credit the short-term deposits in Banks when they mature and also to withdraw Rs 25·44 lakhs next year from our surplus investments. The investment account which will be operated on to finance our programme, both productive and non-productive, and which will keep in view the maintenance of adequate balances in our Treasuries and in approved Banks, is estimated to stand at Rs 150·29 lakhs at the close of the next year. Our closing cash balance at the close of the ensuing year is expected to amount to Rs 40·97 lakhs. The general financial position of the State can, therefore, be asserted to be thoroughly sound and satisfactory.

THE DEWAN'S STATEMENT.

DEWAN: Under Rule 68 (4), I proceed to make a statement on the Budget that has been presented to-day at the Joint meeting of the two Houses of the Travancore Legislature.

Before I proceed to do so, it is my duty to tender thanks on behalf of the Travancore Government and I feel sure on behalf of the honourable Houses of the Travancore Legislature, to His Excellency the Crown Representative and to Mr. Skrine for the cordial and continuous help that has been rendered to this Government in many directions during the past year.

In the course of the speech of the Financial Secretary to which we have listened with pleasure, and I trust with profit. we have had indications of the diverse ways in which the Government of India's help has been manifested. In the matter of the Railways, there was a longstanding question about interest which, on account of the intercession and the good offices of the Resident, was settled to our satisfaction and to our advantage. With regard to customs and the pre-payment of 90 per cent. of the anticipated yearly share in regard to the Cochin Harbour, there again, the Government of India was most helpful and their assistance has to be gratefully acknowledged.

In this connection I may say that there was a rumour set afloat some time ago of those tendencious statements which often appear in newspapers to the effect that the Government of India had issued an ultimatum that unless we paid certain monies they would take steps to deprive us of our share of the Harbour Revenues. I am glad to say that the relations of the Government of India and the Travancore Government are such that ultimata on the one side or on the other are incredible and impossible.

In regard to the question of minting our own coins I must also gratefully acknowledge the valuable assistance that was given to us by the Government of India in recognising the 'Chitra' coins to be unlimited tender. Many years ago, our coins were unlimited tender. But during the last 25 or 30 years or even for a longer period they were limited tender and the result was that we were unable to take advantage of the minting which every Sovereign State has as one of its main prerogatives and to obtain the profits from that minting. Thanks to the good offices of the Government of India and to Mr. Skrine especially, we were able to get that difficulty removed and we are entitled to mint up to an unlimited extent 'Chitra' coins;

and as you will see from the speech to which we have listened, we propose to mint a certain amount of 'Chitra' coins next year as was done in the previous year.

Finally, with regard to the arrangements connected with telephones the Government of India have rendered us much help. I now turn to the budget proper.

Let me in the first instance congratulate the Financial Secretary on the lucidity and the thoroughness of his treatment of this complicated subject. It is a pity that Mr. Rengaswamy Iyer is not with us to-day as his health has not been satisfactory. But it is hoped that he will be restored to normal health very soon and rejoin his work. I am glad to say that his *locum tenens*, Mr. Ramachandra Rao and thereafter Mr. Cherian, performed their task with laudable expedition and with an efficiency which the Government acknowledged with pleasure. As will be noticed from the document that has been placed before the Houses of the Legislature, we are budgeting for a surplus. As is observed by Mr. Cheriyan, this budget is a conservative Budget. Deliberately the amount of income has been put down as low as possible, notwithstanding that we feel convinced that at the end of the next year, we shall not have less than Rs. 265 lakhs by way of revenue. But in order to provide against all contingencies, the Budget figure has been put at about Rs. 261 lakhs. In this connection, it may be useful to remember that the annual revenue of Hydrabad State is Rs. 817 lakhs, that of Mysore is Rs. 351 lakhs and there is no other State in India which is getting as much by way of annual Revenue as Travancore is budgeting for. In revenue as well as in population, therefore, we rank next to Hyderabad and Mysore amongst the Indian States and in future discussions and in allotting the place due to this State in the confraternity of States I trust that adequate notice will be taken of these factors. It may be remarked in passing that this increase in Revenue has been really Rs. 20 lakhs in the past two years and it was effected without a single pie of additional taxation. The object of raising the revenue is however not for the pleasure of doing so but for the purpose of securing the greatest good to the greatest number and enhancing the prosperity of the State. And the policy of this Government is not to allow Government balances to accumulate for their own sake, but to utilise them as far as possible in productive works and not to allow them to fetch little or no interest. It is well known that the utmost interest that we can get for our

balances if kept in cash is not more than two per cent. In certain banks it is less than two per cent and in certain other banks it is two per cent. or at the most $2\frac{1}{2}$ per cent. We cannot generally get more than two per cent. for our monies by investment in banks. Therefore it is a great pity and a great mistake to keep our monies locked up without putting them into remunerative schemes wherefrom we may derive more advantageous results.

Speaking generally, there is no doubt that so far as agriculture is concerned there is a world slump. Having bestowed some attention to this subject and having studied much of the literature on the matter, I may say that it is very very doubtful indeed whether the world slump, apart from extraordinary causes, will improve in the immediate future. A Committee constituted by League of Nations which has been bestowing considerable attention to this subject has published brochures dealing with the matter in which rather pessimistic forebodings occur with regard to the possibilities of what may be called agricultural revival. Now there is no gainsaying the fact that in this State agriculture is in a very depressed condition. As a matter of fact, Government have been considering during the last year, and I am afraid will have to consider during the coming year, certain schemes of agricultural relief to the people who are toiling on the land. Remissions have been made last year and I am afraid demands for remission and other reliefs which cannot be neglected will be made this year and there will arise also certain specific demands as to relief exigible by certain localities which cannot be longer delayed. We shall hear more of this when the actual demands come up for voting. But the general policy is as follows. Government realise that agriculture as it has been pursued in the State is not going to be much of a profitable occupation. By agriculture I mean agriculture conducted on the old methods and in the old way. It has therefore become incumbent on the State to devise new methods of agricultural operation and concentrate on new kinds of crops. Therefore it is that last year I said and this year I repeat that it will be the duty of every one interested in the prosperity and well being of the State to devise means whereby commercial crops can be substituted to as large an extent as practicable for the existing crops and the cultivation of Soya bean, tobacco and sugar-cane have to be investigated and scrutinised with the utmost possible care in order that agriculture might become a remunerative occupation. Intensive scientific methods and the substitution of commercial crops must be included in our programme. The Travancore Government

have been concentrating in South Travancore on the stoppage of the registry of tank beds and the improvement of irrigation sources, having regard to the undoubted fact and the inescapable circumstance that the Pechipara Dam and the Reservoir have ceased to fulfil the expectations that were originally raised and entertained regarding it; and as to South Travancore other plans are also under consideration. The initiation of the Credit Bank is one of the essential requisities for agricultural rehabilitation and it is to be hoped that it will start successful operations very shortly.

Now, the point I wish to make, and make very strongly, is that, so far as the future of Travancore is concerned, reliance will have to be placed in order to sustain Governmental operations, and in order that the Government of Travancore can continue in its traditions of progressiveness, not so much on land revenue but on other items of income-producing activities and other taxes and imposts. From that point of view it is the object and aim of the Travancore Government to try and raise revenue in other ways, for example, by tightening up income tax rules and by devising other means which, without operating harshly upon the individual inhabitant of Travancore, will yield substantial revenue to the Government.

In this respect, Travancore is in a very different position from practically all the rest of India. Take, for example, the Madras Government. Till recently, they had a total annual income, or revenue of about Rs. 16 crores of which more than between fifty and sixty per cent. they derived from Land Revenue and Excise. Travancore on the other hand, has a total annual revenue of about Rs. 2½ crores of which about Rs. 40 lakhs is contributed by Land Revenue. Therefore, we are in a better position than other parts of India in the matter of relying for our Governmental activities on sources of income other than Land Revenue. There is no doubt that hereafter we shall have to rely less and less upon land until the agriculturists of the country take to intensive cultivation and to improved and scientific methods and commercial crops. The future of Land Revenue and its incidence are therefore engaging the anxious attention of Government.

So far as our income-tax is concerned, Government now feel that there is complete justification for the reorganisation of the department, to which reference was made last year. Now speaking only of one concern, let me point out the tremendous

difference in the amount of income-tax which it paid in the year 1112 and the amount it paid in the year 1113. In the year 1112, it paid a sum of Rs. 7,645-4 as. plus Rs. 6,774 by way of income-tax plus super-tax; and in 1113, the same concern has paid an income-tax of Rs. 31,000 and super tax of Rs. 11,000. Similarly, in the case of other concerns also, income-tax and super tax have doubled and more than doubled. I am mentioning this only for the purpose of showing what result can be produced by careful scrutiny of income-tax appraisement. Such facts also demonstrate that the State is entitled to demand and to get really much more by way of income-tax and super tax than it has been getting hitherto. It has been clearly shown that with the fuller and better realisation of their objectives they have been able to secure for the Government a bigger income under income-tax than they used to in the past.

In this connection, it is my duty to pay a tribute to the fine work done by Mr. K. C. Venkatarama Iyer, who has now returned to Madras after finishing his work here. There is no doubt that, in the reorganisation of the department, a certain amount of very good work has been done by the department itself under the existing chiefs. But that Mr. Venkatarama Iyer's assistance was invaluable would be gratefully acknowledged by none more readily than by those chiefs of the department here.

I now turn to the Cochin Harbour. It is now quite clear that our participation in that enterprise has more than justified itself. On account of the separation of Burma from India, as has been pointed out in the Budget Speech, the receipts of the Harbour in respect of petrol have greatly swelled the pool and we are likely to get hereafter never less than about Rs. 20 lakhs every year. I do not wish to say more than this, namely, that, considering that at the most we shall not have spent more than about Rs. 1¼ crores on the venture, an annual income for all time of Rs. 20 lakhs is not bad regarded merely as an investment.

But I must refer also to one aspect of the matter which must be borne in mind with regard to the current year's decrease in import revenue at the Cochin Harbour. The Government of India embarked on the policy of protection of Indian sugar. With a view to stimulate local production of sugar, the Government of India imposed prohibitive duties against Java sugar which was being imported into India in large quantities. That has been the real reason for our loss of revenue in the year. But that is more than compensated by the decision in regard to

petrol, and certain other matters also on which decision is pending. It is hoped that from next year onwards we shall never get an income of less than Rs. 20 lakhs by way of customs exclusive of our own collections.

I now turn to the general policy of the State with regard to State enterprises, especially in view of the misunderstanding and misconception in some quarters about the policy of the Government in spite of the explanation I tried to give last year. Let me once more make the position perfectly clear. The object and aim of the Travancore Government will be not to compete with but to encourage private enterprise, private enterprise meaning enterprise which, for its success and fruition, depends upon commercial acumen, advertisement and the various other expedients which commercial men have necessarily to adopt to ensure commercial success. In other words the State's main function is to let trade and manufacture remain under private management and control. Government, in the nature of things, cannot conduct commercial concerns adequately. On the other hand the duty and the function of the State will also be to make the utmost use of certain things which are or should be State monopolies. Let me illustrate.

Take the case of timber, for instance. Travancore produces a large variety of useful timber and in greater abundance than most other places. That is a natural monopoly of the State. Let me point out that for the last 25 years, we were getting a particular rate of royalty of four annas per cubic foot, in regard to certain varieties of timber sold by us. We were so doing not because of any cussedness on our part, but because we did not know the real value of what the State possessed. The expert, about whose entertainment different opinions have been expressed,—an expert chosen for his skill by the Government of India and whose opinions are now followed by many Governments outside India—was brought over here. Within some weeks of his coming here, all those rates were revised and exactly double those rates were cheerfully given by the very firms which had been paying for many years the old rates. So that, in the course of the first month of his arrival here, he was able to show a clear profit of many thousands and as a matter of fact, if his schemes for the utilisation of the timber of the State are put into proper shape and lead to fruition, it is expected that instead of the Forest revenue of about Rs. 13 lakhs, we shall get a revenue of about Rs. 18 to 19 lakhs, in the course of two years, if not in the course of one year. I am leaving out of account

the question of building of bridges and structures of that kind. On that matter, as there is apparently difference of opinion, let me enunciate the policy of the State. This State does not now produce cement though it hopes to do so. This state does not produce steel. We have to import our steel and our cement. We do not propose to do so unless we are compelled to do so. We shall, as far as possible, substitute wood and timber for those articles. Let us concede, if necessary, that wood and timber are not so durable as steel structures and cement structures. Very well, we will renew them at the end of 20 years or even earlier. The timber is ours and with proper care is an inexhaustible source of supply. It is State labour that is employed. The profit that is derived from it goes to the State. This is the policy of the Government and that policy will be adhered to as far as practicable as to bridges and piers and similar ventures.

Take another matter. For years, mineral licenses were granted by the State. Whole areas have been leased. What did we find? We found that there was a tremendous amount of buying and selling of lands and speculative applications for mineral licenses. We came to the conclusion that this kind of thing must stop and that the State must derive an adequate revenue, an adequate share of the profits which these people are making. I have before me a very instructive pamphlet published by our Ceramic expert with regard to Sillimanite which is one of the concomitants of Ilmenite sand that we have here. It is now used as an element preferable to porcelain in the matter of electrical goods. So far as this is concerned we do not know its real commercial value. The production and marketting of Ilmenite and sillimanite are in the hands of a world combine. Until the facts are ascertained and our fair share of profits secured the Government do not propose to hand over any of the mineral resources to prospectors. Of course we are bound to honour the contracts that have already been entered into, we are bound to carry out in the spirit and in the letter the contracts which are existent. No new licenses will be given to anybody unless Government after investigation are able to see what are the net profits which the venture can bring and what is the proper share which Government might obtain from that amount. This policy again is in furtherance of the idea that these being natural monopolies of the State, these must be exploited to the best advantage and the State must get the best profit out of it.

Take again the case of other minerals. We now find that Travancore mica which is of the crimson variety is supposed to be better for the purpose of electrical goods than the mica which

is elsewhere found in India and which is of the greenish variety. Therefore there have been demands from outside on account of the various re-armament and other programmes elsewhere. for this kind of mica. There has been demand for graphite which is also found here. Therefore Government have come to the conclusion that these are things which ought not to be handed over to any private enterprise but that the State should exploit these resources for the profit of the State Thus in regard to the natural monopolies of the State, like timber, like the mineral resources, we should exploit them for our own benefit exclusively. If we cannot conduct business on proper lines ourselves, we may have to hand them over to people who will do so but on taking a proper share of the profit, never less than 10 per cent. and in certain cases going up higher still.

I come now to the State Transport Department. There has been a tremendous amount of confusion of thought and conflict of opinion about it. So far as the financial aspect is concerned, it is not open to controversy any longer, I am happy to say. Let me recapitulate or review the position. We have spent on the whole less than Rs. 7 lakhs. We are now negotiating—those negotiations are practically complete—with the Kannan Devan Hills Produce Company for taking all their tea and transporting that tea to Cochin, thereby helping the port of Cochin and a sister State. Let us realise exactly what the position is to-day. The Kannan Devan Hills Produce Company sends all its tea by ropeway down to Bodi. From Bodi it is put into railway wagons and taken to Tuticorin and exported from Tuticorin to Europe. The idea is that hereafter that ropeway will be given up and that tea will go through Travancore territory to Alwaye and from Alwaye it will be put into the steamer at Cochin by our Transport system. We are negotiating for this and those negotiations have practically been completed Then, the inhabitants of these plantations themselves, the coolies and the labourers working there, require provisions, rice, tamarind and such other articles. All these will be taken from Alwaye to Munnar and thence to the plantations of the K. D. H. P. Company, instead of being brought by the ropeway from British India In other words, we shall be the sole transporting agents for taking tea from Munnar to Alwaye and from Alwaye to Cochin, and provisions from Alwaye back to Munnar. Now, we expect an income of about Rs. 2 to Rs. 3 lakhs in this direction from the year after the next.

I may also inform the House that, having learnt of this scheme, similar proposals have been made by other companies; and, as a matter of fact, one of such proposals is now before the Government.

Now, leaving on one side this contract with the K. D. H. P. Company which has not yet been signed although the preliminaries are all over, we are bound to get between 5 and 6 lakhs of rupees every year under our transport scheme by way of gross income. Out of that 6 lakhs, deduct 50 per cent. for overhead charges and other expenses; that leaves us 3 lakhs. Out of that again, let us deduct Rs. 1 lakh for the maintenance of the road, because hereafter all roads covered by the transport scheme will be maintained out of the receipts from that scheme and not from the allotment for the P. W. D. This leaves 2 lakhs. Again, out of the balance of Rs. 2 lakhs, deduct Rs. 1 lakh for depreciation and Rs. 1/4 lakh for contingencies. That leaves us a net profit of 3/4 or one lakh of rupees per annum. Certainly, an annual income of Rs. 1 lakh for a total expenditure of Rs. 7 lakhs does not constitute a bad investment. Even if these calculations are wrong by 50 per cent. still we get half a lakh of rupees per year for Rs. 7 lakhs, that is nearly 7 per cent.

Now, what does this mean? It means either that till now somebody has been getting all that profit without the State deriving practically anything out of such profit, or that hitherto the venture was being run in such a wasteful manner or under cut-throat competition that nobody could get any profit. Indeed, it is the latter explanation that has been furnished to the Government in answer to the demand for income-tax. It was said that no single Transport Company got any profit because of competition, cutting of rates and reduction of fares; and therefore instead of paying legitimate income-tax to the Government, some even claimed preferential treatment and remissions. The net result, as I have already pointed out, is a minimum annual return of 10 per cent. or at least 7 out of the Transport Scheme. Certainly, this is a means of securing revenue without increasing the burden on the agriculturists or on anybody else. It is a perfectly legitimate form of profit and it may be incidently observed, has been taken great advantage of by such institutions as the London County Council.

Let me next take up the Ceramic Factory. There used to be a series of questions every year with regard to that factory. We have spent so far less than Rs. 6 lakhs. This factory

serves an area of thirty-five square miles which is packed with China Clay. The supply, it is hoped, will be practically unlimited for the next fifty or sixty years. I am glad to be able to announce to the House that there are competitive tenders at attractive rates for all the Refined China Clay that we can supply; big concerns have come forward with the offer to buy all the China Clay that our factory can produce. The only question is which offer we are to accept. It is expected that, even in the first year, we shall get a lakh of rupees. Our China Clay is supposed to be better than most other Textile Clay in the world. So, for an investment of Rs. 6 lakhs, we shall get year after year a lakh of rupees.

Turning next to the Hydro-Electric Project, it is my duty to allay certain doubts and apprehensions which have been raised. I can tell you definitely from my own inspection that the trouble now with the Power House is not that the foundations are weak but that they are too strong. We have found a bed of solid rock on which Power House is now being constructed. The difficulty was to dynamite that rock and start building. The foundations are laid and the work is proceeding apace and, as pointed out in the Budget speech, in the course of the next 6 or 7 months, certainly before 9 months are out, the machinery will be installed and the current will begin to be supplied. We have budgeted for an income of a lakh of rupees next year. I may mention my own experience with regard to the Pykara Scheme, as to which also as in the case of certain large scale contracts here there were very strong allegations made against the originator of the scheme which was my humble self and against others working under me, firstly for handing over all the contracts to foreign firms, secondly for getting commissions in regard to the contracts and thirdly for other nefarious practices. But I am glad to tell you that on Rs. 3½ crores invested by the Madras Government on that scheme they are getting an annual revenue of Rs. 27 lakhs. The rate of interest which the Mysore Government makes is also 9 to 10 per cent. every year on their Hydro-Electric enterprises. It is a known fact that so far as the Hydro-Electric schemes are concerned, from the second year of their working they never pay less than 9 or 10 per cent. interest. The enterprise is well on its way. There have been difficulties and there have been troubles in the beginning—no big enterprise of that kind can get on without troubles and snags—but they have all been overcome and I am glad to announce to the joint House that from the close of the

next year we shall begin to make income out of it. The Trivandrum Electric Supply has also done very well.

I now come to the other kind of enterprises, namely, commercial enterprises. With regard to these enterprises the position stands thus. The Rubber Factory was leased by this Government to a firm. The Rubber factory is not working to-day. The Government have therefore absolutely no responsibility for its working. It is run by a Travancore Limited Company. What happened was this. We leased the factory for a monthly rent of Rs. 2,205. We sold our stock to them for a lakh of rupees. There is a very big market all over India for the produce of that Rubber Factory. They are admitted to be first rate in quality. Their machinery is admitted to be adequate for the purpose. But the only thing that is lacking is—and I am saying so with all possible respect—commercial organisation, advertising skill and financial facilities. These are things which no Government can supply and therefore those persons who are now in charge of the Rubber Factory are themselves endeavouring to obtain these requisites from elsewhere and I hope very shortly the Factory will begin to run, because a great deal of rubber is required for our own purposes including the Transport Scheme. As a matter of fact, if they confine themselves only to making cycle tubes and inner tubes for motor cars and buses, they might make a profit of the concern provided that their marketing arrangements are good.

So far as the Tincture Factory is concerned, I am glad to say that Government have already received Rs. 5 lakhs being the consideration for their handing over the Tincture Factory to a company which again is a Travancorean concern. The company has been formed in Travancore. A large number of shares of that company have been taken by Travancoreans and it will be found that so far as that company is concerned there is no difficulty about commercial skill or advertising. It will begin to pay dividends very shortly as honourable members will see for themselves. The Paper Factory is also run under efficient management.

Now the policy as to these private concerns is that Government do not want to take a hand in running them. Government will only run what may be called the natural monopolies and concerns which are in the nature of monopolies, like the Commercial Transport and electrical production.

Investigations are now in progress for the purpose of using some of our soft woods to produce rayon for the manufacture of

artificial silk from which pure Travancore Khadar—made of yarn produced in Travancore, spun here and woven here—can be made available for the people of Travancore. Travancore does not produce cotton, and possibly she cannot produce the best varieties here; and in this respect we are faced with the same difficulty as Japan. She had to import all her cotton. She tried substitutes and has successfully made use of her timber resources which are very extensive.

As I said, investigations are now proceeding for the production of rayon, and if, with the ramification of our hydro-electric project, we succeed in bringing into existence a net work of cottage textile industries, throughout the State, the results will be tremendous.

I now come to the University. Nothing in the shape of re-orientation in the industrialisation of the State is possible unless the whole ideal and the whole programme of education are also re-oriented. And, it is in order to bring about that result that the University has been started, and will be worked. Criticisms have been heard. I have heard that a certain number of students have been asked not to join the University or to boycott it. As a matter of fact the effect of it will be that those students who do not join the University will be at a positive disadvantage in the matter of recruitment to public service, for naturally Travancore undergraduates and graduates will be more in demand than others in all varieties of service—public, industrial and commercial. But I feel sure that these threats and prognostications will not materialise. The University is formulating a programme to work on its own lines with its own agencies. It is an essentially national organisation which the people can make or mar. I feel confident that the people will make it a great institution for the progress and advancement of the country and for the spread of the right type of education physical, intellectual and aesthetic.

Speaking of the University, I am reminded of the large number of interpellations about the importation of foreigners into the State service. Criticisms have been heard with specific reference to the entertainment of Mr. Kamesam, Dr. Parameswaran, Dr. Cousins and other experts. My only answer to such criticisms is this. The last people in the world who should agitate on those lines are the people of Travancore; because Travancore talent, Travancore energy and Travancore enterprise are being used all the world over, and if cries of that

kind are heard and resound, it is very likely that we may meet retaliation from other parts of the world. We may be faced with the query 'why should we entertain Travancoreans when Travancore is not prepared to tolerate any foreigner?' That is the real danger in local and provincial exclusiveness.

I may make it clear in this connection that it is not the intention or the object of the Government to entertain non-Travancoreans in service unless and to the extent to which it is essential for the development of some Governmental programme or policy. It is certainly not the object of the Government to make Travancore a kind of refuge for people who cannot get employment elsewhere. If experts have to be found for any particular scheme they must be got down from wherever they can be found. That is the policy of this Government.

Finally, let me add that the resources of the country are manifold, so that, in the deliberate opinion of the Travancore Government, if a wise policy of industrialisation and of intensive agricultural operations is conducted and if there is a background of proper educational training, the revenues of the State can easily go up by Rs. 20 to Rs. 30 lakhs in the next four or five years. And, the revenue will be raised not for its own sake merely, but for the purpose of the common good of the people of the country, for ensuring the inauguration of ameliorative and beneficial schemes, for getting the utmost advantage from the intellectual and physical assets available to the State. There might be differences as to political objectives. There are bound to be such all the world over. But in the matter of industrial, agricultural and educational programmes and policies, there is no room for acerbity of temper and no real reason for conflicts. There is no place for animosities. There is room *only* for friendliness, comradeship and co-operation. May we all work in that spirit.

The Joint Sitting terminated at 12-35 p.-m.

A. GUNAMONY,

Secretary to the Sri Chitra State Council.

PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XII—NUMBER 2.

FOURTH SESSION—1938/1113.

Monday the 8th August, 1938/24th Karkadakam, 1113.

The Sri Chitra State Council met in the Victoria Jubilee Town Hall at eleven of the clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., Dewan-President, in the chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls :—

Mr. C. V. Chandrasekharan, *Pro-Vice-Chancellor, Travancore University.*

Mr. K. J. Cheriyan, *Ag. Financial Secretary to Government.*

Mr. K. George, *Land Revenue and Income Tax Commissioner.*

Dr. M. K. Gopala Pillai, *Director of Public Health.*

Mr. M. Govinda Pillai, *Ag. Secretary to Government.*

Mr. Puthupalli S. Krishna Pillai, *Legal Remembrancer to Government.*

Mr. M. Sultan Muhiadheen (*Trivandrum and Nedumangad* cum *Chirayinkil*).

Mr. K. P. Padmanabha Menon, *Electrical Engineer to Government.*

Mr. M. Ramachandra Rao, *Ag. Commissioner of Police.*

Dr. K. P. Raman Pillai, *Ag. Surgeon-General.*

Mr. G. B. E. Truscott, *Chief Engineer, Roads, Buildings and Irrigation.*

QUESTIONS AND ANSWERS.

The right of advertising through the transport buses.

1. ***Mr. Nedumangad R. Kesavan Nair** (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to state :

[Mr. Nedumangad R. Kesavan Nair.]

(*a*) whether they have given the right of advertising through the medium of transport buses to any individual, company or concern;

(*b*) if the answer to the above question is in the affirmative, the name of such individual, company or concern, specifying the amount for which such right is given as also the period for which it is given;

(*c*) whether they had called for tenders before giving such a right; and

(*d*) whether they will place on the table a copy of the contract giving such a right of advertisement, if any?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*): (*a*) It has been decided to give the right of advertising in the State buses to a company.

(*b*) South India Highways Publicity Service, Madras, for a sum of Rs. 1,500 per annum for a period of three years.

(*c*) Yes, *vide* the Transport Departmental Sheet in the Gazette, dated 5th Makaram 1113/18th January 1938.

(*d*) The agreement is being executed.

Mr. Nedumangad R. Kesavan Nair: With reference to part (*a*) may I know when the contract was decided to be given to the company?

Mr. M. Govinda Pillai: The contract was decided to be given in February last.

Mr. Nedumangad R. Kesavan Nair: May I know whether the South India Highways Publicity Service, Madras, is a foreign concern?

Mr. M. Govinda Pillai: I may say, Sir, that it is not a Travancorean concern.

Mr. Nedumangad R. Kesavan Nair: May I know who the Directors and the responsible authorities of the concern are?

Mr. M. Govinda Pillai: Sir, the information about the Directors and other details of the company are not known. It was found that their tender was the most profitable to Government and so it was accepted.

Mr. Nedumangad R. Kesavan Nair May I know whether Government made any enquiries in regard to this concern before the right of advertising was given to it?

Mr. M. Govinda Pillai: Reasonable enquiries were made and Government found no reason for suspecting their bona fides or their efficiency and capacity to discharge the work about which they have entered into contract with Government.

Mr. Nedumangad R. Kesavan Nair: May I know whether any other concern or company offered to take up advertising?

Mr. M. Govinda Pillai: Local companies and individuals offered to take up the work, but the amount they offered fell far below the amount offered by the South India Highways Publicity Service, Madras.

Mr. Nedumangad R. Kesavan Nair: May I know the amount of the offer next below that of the Madras Highways Publicity Service?

Mr. M. Govinda Pillai: I do not remember the name of the firm, Sir, but the next offer was for Rs. 500.

Mr. Nedumangad R. Kesavan Nair: May I know the number of persons who offered to take up the right of advertising?

Mr. M. Govinda Pillai: Including individuals, it exceeded, I think, half a dozen.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government thought it fit to give the advertising right to local bodies?

Mr. M. Govinda Pillai: Sir, Government thought that they should go in for the more profitable offer and for more extensive advertisement.

President: Question No. 2.

Mr. Nedumangad R. Kesavan Nair: Sir, I have not finished with Question No. 1.

President: The honourable member cannot make the question hour an hour for catechising.

Mr. Nedumangad R. Kesavan Nair: May I know when Government expect the agreement to be completed?

Mr. M. Govinda Pillai: The terms of the agreement have already been settled, but the technicalities of a formal agreement have yet to be finished in consultation with the Law Officers of Government.

Mr. K. R. Elankath: (*Kalkulam and Vilavankod cum Neyyattinkara*): With reference to part (*d*) may I know what the terms of the agreement are?

Mr. M. Govinda Pillai: The important term is that they should pay Government Rs. 1,500 per annum for the right of advertising in the transport buses.

Mr. K. R. Elankath: May I know whether all the terms were discussed before Government accepted the offer of this concern?

Mr. M. Govinda Pillai: Sir, all the terms were negotiated and discussed and finally settled before the offer was accepted by Government.

Mr. K. R. Elankath: May I know the reason for the delay in the execution of the agreement?

Mr. M. Govinda Pillai: The delay is only in finishing the formalities. Government have asked the Law Officers to draft the agreement.

Sahib Bahadur Abdul Tayeb Shaikh Kaderbhoy (*Commerce and Industry South*): May I know whether any advance has been received from the firm?

Mr. M. Govinda Pillai: No, Sir.

Construction of the transport garage near the Central Station.

2. ***Mr. Nedumangad R. Kesavan Nair:** (1) Will the Government be pleased to state:

(*a*) the name of the company or concern to whom the construction of the permanent transport garage near the Central Station is given, with the names of its directors;

(*b*) whether the above company had been registered in Travancore, and, if so, the date of registration;

(*c*) whether the said company had done any construction works either in Travancore or outside till this date;

(*d*) the amount for which the contract is given to the above company;

(*e*) whether the contract amount is to be paid in a lump or in instalments;

(*f*) whether the Government had called for tenders for the construction of the permanent transport garage, and, if so, the names of the companies that had offered tenders, specifying the amounts so tendered;

(*g*) whether any stipulation is made as to the exact time within which the construction of the garage is to be completed;

(*h*) whether any alteration in the design of the proposed building is made by the Government authorities subsequent to the acceptance of the tender;

(*i*) if the answer to part (*h*) is in the affirmative, whether the company had made any additional demand as a result of such change, and, if so, the amount so demanded;

(*j*) whether the said company is a foreign concern and the qualification of the said company;

(*k*) whether any articles towards the construction of the garage are given by Government or whether the company gets them from outside;

(*l*) whether any articles are got by the company duty free, and, if so, the amount of duty from which they are exempted ;

(*m*) whether the Government are at present constructing temporary transport garage, and, if so, the reasons for the same ; and

(*n*) the amount that has been spent up to this time towards the construction of the temporary garage ?

(2) Will they be pleased to lay on the table a copy of the contract entered into between them and the said company ?

Mr. M. Govinda Pillai : (*a*) The Combined Construction Corporation, Ltd.

Managing Director—Mr. J. H. Tarapore.
Directors—Messrs. H. A. Tarapore,
J. H. Tarapore,
C. S. Loganathan,
V. S. Srinivasan, and
N. Rama Aiyar.

(*b*) Yes, 5-3-1118.

(*c*) No. Information *re* the latter part is not available.

(*d*) Rs. 96,000.

(*e*) In instalments.

(*f*) Quotations were invited from Messrs. Harrisons and Crosfield, the General Construction Company and the Combined Construction Corporation, Ltd. The last mentioned alone quoted for all items of the work, the other two having quoted only for some of the items of the work.

(*g*) Yes.
(*h*) Yes.

(*i*) No additional demand has been made. But for authorised deviations, payment has been made on the basis of the rates provided in the schedule attached to the agreement.

(*j*) The company was incorporated in Travancore. They are reported to be engineers and contractors for structural engineering, R. C. concrete work, road construction and bridge building.

(*k*) Some materials are supplied by Government for which value will be recovered at specified rates.

(*l*) No.

(*m*) Yes, to accommodate the buses during the construction of the permanent garage.

(*n*) Rs. 7,574.

(2) No.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Directors of the Combined Construction Corporation, Ltd., are Travancoreans?

Mr. M. Govinda Pillai: Some of them are Travancoreans.

Mr. Nedumangad R. Kesavan Nair: Will the honourable member be pleased to state who among them are Travancoreans?

Mr. M. Govinda Pillai: To the best of my knowledge Messrs. V. S. Srinivasan and N. Rama Aiyar belong to Travancore.

Mr. Nedumangad R. Kesavan Nair: May I know when Messrs. Srinivasan and Rama Aiyar became Directors of the Combined Construction Corporation.

Mr. M. Govinda Pillai: The date of their becoming the Directors of the Corporation is not known but they were Directors when the Company was incorporated in Travancore.

Mr. Nedumangad R. Kesavan Nair: May I know whether they become Directors subsequent to the receipt of this question by Government?

Mr. M. Govinda Pillai: Government have no information at all.

Mr. Nedumangad R. Kesavan Nair: With reference to part (*b*) may I know the exact date when the contract was given to the company?

Mr. M. Govinda Pillai: The sanction of Government was communicated to the Transport Superintendent on the 9th November 1937.

Mr. Nedumangad R. Kesavan Nair: May I know when the Company registered itself as a company in Travancore?

Mr. M. Govinda Pillai: It was registered on the 5th Tulam 1113 corresponding to the 21st October 1937.

Mr. Nedumangad R. Kesavan Nair: With reference to part (*c*) may I know whether Government consider qualification in building as a qualification for the company to construct the garage?

Mr. M. Govinda Pillai: Government were convinced that they were qualified to undertake the work for which they have contracted.

Mr. Nedumangad R. Kesavan Nair: May I know the date on which Government arrived at this conclusion?

Mr. M. Govinda Pillai: After all the tenders were examined Government thought that their offer was the best and the Government after enquiries felt that the company was competent to undertake the work.

Mr. Nedumangad R. Kesavan Nair: Are Government aware of even a single instance in which the company has undertaken construction work?

Mr. M. Govinda Pillai: Subsequent to the answer to this question, I may inform the House that Government have information that the company had undertaken and executed very important works in the Madras Presidency; for instance, I may say that they did the Ponnai Bridge, the Mangalore Dry Docks, the Madras Port Turst Works, the Cement Company buildings at Trichinopoly etc.

Mr. Nedumangad R. Kesavan Nair: Have they done any construction work in Travancore?

Mr. M. Govinda Pillai: No, Sir.

Mr. Nedumangad R. Kesavan Nair: With reference to part (*f*) may I know whether Government called for tenders for the construction of the permanent garage?

Mr. M. Govinda Pillai: Government called for quotations. They did not call for tenders.

Mr. Nedumangad R. Kesavan Nair: How many sent in quotations?

Mr. M. Govinda Pillai: Quotations were obtained from Messrs. Harrisons & Crosfield, the General Construction Company and the Combined Construction Corporation, Ltd.

Mr. Nedumnagad R. Kesavan Nair: May I know what the offer made by Messrs. Harrisons & Crosfield was?

Mr. M. Govinda Pillai: It was for Rs. 1,19,000.

Mr. Nedumangad R. Kesavan Nair: With respect to part (*g*) may I know the date on which the company undertook to construct the garage?

Mr. M. Govinda Pillai: They were asked to finish the contract within three months and should they fail to do so, they agreed to pay a penalty of Rs. 100 a day for the period that they exceeded the three months.

Mr. Nedumangad R. Kesavan Nair: Was it made a condition precedent in respect of contracts that were given to other companies?

Mr. M. Govinda Pillai: It is certainly one of the essential things. Expeditious construction was one of the most essential things, for the chassis had arrived, the Superintendent had arrived and Government were very anxious to have the service put into active operation to avoid loss on the capital already invested.

Mr. Nedumangad R. Kesavan Nair : Are Government aware of any companies that had to keep to the time-limit stipulated by Government ?

Mr. M. Govinda Pillai : I may inform the House that the P. W. D. had estimated that the work could be completed only after four or five months.

Mr. Nedumangad R. Kesavan Nair : May I know the time taken by the Combined Construction Corporation Ltd., for completing the garage ?

Mr. M. Govinda Pillai : In view of certain alterations in designs and specifications, the company had to take some more time. But the company was not responsible for it. The alteration in the design was made by the Government.

Mr. Nedumangad R. Kesavan Nair : May I know the exact time within which the work was completed ?

Mr. M. Govinda Pillai : A little over four months.

Mr. Nedumangad R. Kesavan Nair : May I know who suggested the alterations in the building ?

Mr. M. Govinda Pillai : The Transport Superintendent.

Mr. Nedumangad R. Kesavan Nair : May I know whether the Government did consult the Transport Superintendent before the contract for construction was given ?

Mr. M. Govinda Pillai : Yes, Sir.

President : The honourable member need not go into the details of the consultation between the Government and their officers.

Mr. Nedumangad R. Kesavan Nair : May I know who suggested the plan for the temporary garage ?

Mr. M. Govinda Pillai : The original plan was suggested by the Transport Superintendend himself.

Mr. Nedumangad R. Kesavan Nair : May I know the reasons that were given by him for changing the plan ?

Mr. M. Govinda Pillai : The plan was prepared by him in England. After coming here and investigating local conditions, he felt that certain changes were necessary.

Mr. Nedumangad R. Kesavan Nair : Did not the Superintendent investigate the local conditions when the original plan was prepared by him ?

Mr. M. Govinda Pillai : He took advantage of his experience in England and the conditions obtaining there.

Mr. Nedumangad R. Kesavan Nair: May I know the additional amount that Government had to spend as a result of those alterations?

Mr. M. Govinda Pillai: The contract was given, in the first instance, for 96,000 rupees, and the final payment made was Rs. 1,15,965. But at the same time I may inform the House that materials to the value of Rs. 10,000 and more are still available for use by Government.

Mr. Nedumangad R. Kesavan Nair. May I know the source of information for Government regarding the capacity of the company to do works connected with structural engineering?

Mr. M. Govinda Pillai: I have informed the House of the several works they were engaged in and how satisfactorily they executed those works.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government got information about the several works done by the company prior to admitting this question?

Mr. M. Govinda Pillai: The Government knew that the company was competent to take up such work. In view of the several interpellations raised on the subject here and elsewhere the Government thought it desirable to ascertain the specific items of work which they had executed.

Mr. Nedumangad R. Kesavan Nair: How did Government know that they were efficient in the execution of work without ascertaining and collecting the necessary data?

President: Next Question.

Lightning havoc to the public offices building at Parur.

3. ***Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether the Government building in which the Taluk Cutcherry, the Police Station, the Sub-Registrar's Office and the Magistrate's Court are housed at Parur was struck by a recent lightning;

(*b*) the damages done to the building;

(*c*) the cost of the building;

(*d*) whether the buildings was protected by lightning conductors;

(*e*) whether the water pipes attached to the building were conductive or detrimental to its safety?

Mr. G. B. E. Truscott (*Chief Engineer, Roads, Building and Irrigation*): (*a*) No; but some damage was caused to th building by storm on 15-9-1113.

[Mr. G. B. E. Truscott.]

(b) A portion of the roof was damaged, some plastering cracked here and there and some window glass panes broken.

(c) Not traceable from the available records.

(d) No.

(e) Not detrimental.

Mr. N. V. Chacko : May I know the nature of the damages done to the building? Is it a crack in the building or in the plastering work?

Mr. G. B. E. Truscott : The cracks are on the plaster; there is no report that the walls are cracked.

Diminution of water in the Periyar river.

4. ***Mr. N. V. Chacko :** Will the Government be pleased to state;

(a) whether any diminution of water is noticed in the Periyar river at Alwaye during successive summers for the last five years; and

(b) if so, the causes and reasons for it?

Mr. G. B. E. Truscott : (a) Yes.

(b) Due to comparatively less rain fall.

Mr. G. Narayana Aiyar (*Parur Kunnatnad and Muvattupuzha* cum *Devicolam*) : May I know whether any diminution of water is caused by the yearly silting up of the river?

Mr. G. B. E. Truscott : I do no think so.

Mr. G. Narayana Aiyar : May I know whether the member has ascertained that diminution of water was not caused by silting?

Mr. G. B. E. Truscott : I do not think that the silting up of the river would contribute in any way to diminution of water supply in it.

Mr. G. Narayana Aiyar : May I know whether the member is aware that people go to Alwaye during summer and stay there considering it as a place of health resort?

Mr. G. B. E. Truscott : Yes, Sir.

Mr. G. Narayana Aiyar : Is the member aware that people find it very difficult to stay there when there is less water in the river?

Mr. G. B. E. Truscott : No, Sir.

Mr. G. Narayana Aiyar : May I know whether the Government are spending any amounts for removing the silt in the river?

Mr. G. B. E. Truscott : No.

Mr. G. Narayana Aiyar : Are not the Government spending Rs. 50 per mile for deepening the river in a certain place ?

Mr. G. B. E. Truscott : That is being done for maintaining a channel.

Mr. G. Narayana Aiyar : May I know whether the channel once opened up will be improved next year on account of it being silted up ?

Mr. G. B. E. Truscott : Yes, Sir.

Mr. G. Narayana Aiyar : Will not the removal of silt in the Alwaye river where people flock, make it a better health resort ?

Mr. G. B. E. Truscott : I do not think so.

Mr. N. V. Chacko : May I know whether water of the Alwaye river is utilised by other places ?

Mr. G. B. E. Truscott : Yes, Sir.

Mr. N. V. Chacko : Is it in any way responsible for diminution of water in the river at Alwaye ?

Mr. G. B. E. Truscott : Not to any appreciable extent.

Construction of the Alwaye bridge.

5. ***Mr. N. V. Chacko :** Will the Government be pleased to state when the construction of the Alwaye bridge is expected to be over and the bridge made available for purposes of traffic ?

Mr. G. B. E. Truscott : The end of 1114 M. E.

Destruction of crops by floods in Kunnatnad, Muvattupuzha and Parur.

6. ***Mr. N. V. Chacko :** Will the Government be pleased to state the average amount of destruction of crops in paddy lands owing to floods every year in the taluks of Kunnatnad, Muvattupuzha and Parur ?

Mr. K. George (*Land Revenue and Income Tax Commissioner*) **:** No statistics are available.

Mr. K. R. Elenkath : May I know whether it is the practice of Government to grant remission of tax on account of floods ?

Mr. K. George : No. There has been no such case so far as I remember for remission of tax on that ground.

Mr. K. M. Korah (*Vaikom, Kottayam and Changanacherry* cum *Peermade*) **:** May I know why it is said that no statistics are available in regard to destruction of crops owing to floods ?

Mr. K. George : I asked for information from the Peishkars about the matter. They reported that they have no information.

Mr. N. V. Chacko: May I know, have Government tried to collect statistics in regard to the destruction of crops in any other taluk ?

Mr. K. George: No, Sir.

Mr. G. Narayana Aiyar: Are not the Government receiving a report from Peishkars about the destruction of crops owing to floods ?

Mr. K. George: If any specific case is brought to the notice of Government, that petition is referred to the Peishkar for report. In the season reports, sometimes reference is made to the failure of crops.

Petition by Mr. Ipe Varughese and others of Idayar praying for remission of land revenue.

7. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(a) whether they received a petition from Mr. Ipe Varughese, Kunnummel, Ex. S. M. P. A. Member, Idayar, Koothattukulam, and others of Idayar Kara in the Muvattupuzha taluk in or near Tulam 1113, complaining that all their cultivation for Kanni and Makaram 1113 have been destroyed by drought and too much rains, praying that they may be granted a remission of land revenue and requesting the attention of the departments of Agriculture and Irrigation to their locality ; and

(b) what action has been taken on that petition ?

Mr. K. George: (a) No.

(b) This does not arise in view of the answer to part (a).

Mr. N. V. Chacko: May I know whether any petition was received by Government or the department in the matter

Mr. K. George: No petition was received either by Government or the Land Revenue Commissioner in the matter.

Revenue copyists in Taluk Office.

8. ***Mr. G. Narayana Aiyar:** Will the Government be pleased to lay on the table a statement showing.

(a) the total number of revenue copyists serving in the year 1112 in the various Taluk Offices in the State :

(b) the amount realised as copying fees for being paid to the copyists ; and

(c) the average amount paid to the copyists (revenue) per mensem as writing fees in the year 1112 ?

Mr. K. George: (a), (b), & (c). The *statement required is placed on the table.

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*Vide Appendix I—page 55

Mr. G. Narayana Aiyar: May I know whether the Revenue Copyists are treated as Government servants?

Mr. K. George: They are treated practically as piece-workers who are paid wages for their out-turn of work every day.

Mr. G. Narayana Aiyar: May I know, are they entitled to take leave just like the other employees of Government?

Mr. K. George: No.

Mr. G. Narayana Aiyar: May I know whether the whole amount realised as copying fees is distributed to various copyists? Am I to take it that Government do not make profit out of it?

Mr. K. George: One-fourth of the amount realised as copying fees is utilised for expenses towards stationery items.

Mr. G. Narayana Aiyar: What is the nature and value of the expenses incurred towards the stationery item?

Mr. K. George: Writing-paper, pencil, ink etc.

Mr. G. Narayana Aiyar: Is not writing-paper supplied by the party concerned?

Mr. K. George: I believe so.

Mr. G. Narayana Aiyar: May I know why are the amounts paid to each copyist varying in certain divisions?

Mr. K. George: It is due to the fact there is more work in certain divisions.

Mr. G. Narayana Aiyar: It was stated by the member that three-fourths of the amounts realised as copying fees in Taluk offices is paid to the copyists. Then may I know whether in the same division there is equal distribution of the amount realised to all the copyists?

Mr. K. George: Yes, there is equal distribution of the amounts to all the parties concerned in the same taluk.

Mr. G. Narayana Aiyar: May I know whether there is necessity for a large number of copyists in a particular division when the amount realised there is only proportionately small in comparison with other places?

Mr. K. George: That question is being examined.

Bridge to the east of the Idapalli market.

9. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state:

(*a*) whether the bridge (called Kallupalam) to the east of the Idapally market is completely destroyed and wrecked;

(*b*) if so, how long it is since that bridge was destroyed;

Mr. G. Narayana Aiyar.]

(*c*) whether they have received petitions from the inhabitants of Idapally about the dangerous condition of the said bridge; and

(*d*) if so, when such petition was received and what action was taken by them on the same?

Mr. G. B. E. Truscott: (*a*) No; but the platform of the bridge was in disrepair.

(*b*) Since 1106 M. E. the platform of the bridge was in disrepair.

(*c*) Yes.

(*d*) In 1931 A. D. The platform of the bridge was completely renewed in 1108 M. E.

Mr. G. Narayana Aiyar: May I know whether the bridge is now opened to vehicular traffic?

Mr. G. B. E. Truscott: No.

Mr. G. Narayana Aiyar: May I know why it has not been opened to that traffic when it is seen that it was repaired in 1108?

Mr. G. B. E. Truscott: My information is that it is only a foot bridge.

Amount spent for construction of the Ambalapuzha-Tiruvalla road.

10. ***Mr. M. K. Ananthasiva Aiyar** (*Nominated*): Will the Government be pleased to state the amount that has been spent in 1113 towards the construction of the Ambalapuzha—Tiruvalla road out of the amount of Rs. 6,000 sanctioned in the budget for the year 1113?

Mr. G. B. E. Truscott: Rs. 573.

Mr. M. K. Ananthasiva Aiyar: May I know the reason why, out of six thousand rupees allotted in the budget, only a sum of Rs. 573 was spent towards the construction of the road?

Mr. G. B. E. Truscott: That is only booked expenditure. More work has been done but expenditure for the same has not yet been booked.

Mr. M. K. Ananthasiva Aiyar: May I know when the work is expected to be completed?

Mr. G. B. E. Truscott: I claim notice.

Government Dispensary at Kalavoor.

11. ***Mr. M. S. Anirudhan** (*Karunagapalli, Kartikapalli and Ambalapuzha cum Shertalla*): Will the Government be pleased to state:

(*a*) whether there was a Government dispensary at Kalavoor ;

(*b*) whether it has been shifted and the reason thereof ;

(*c*) the name of the place to which it has been shifted ; and

(*d*) the distance from the place where this dispensary is located to the District Hospital, Alleppey, and to the Kalavoor Market?

Mr. K. P. Raman Pillai (*Ag. Surgeon-General*) : (*a*) Yes. (*b*) and (*c*) Yes. The building in which the dispensary was housed at Kalavoor had to be vacated. No other suitable building was available at the place. So it was shifted to a rent-free building at Chettikad.

(*d*) It is three miles north of Alleppey District Hospital and it is 4½ miles from Kalavoor.

Mr. M. S. Anirudhan : In answer to part (*b*) may I know whether the building in which the dispensary is now housed is a rented building?

Mr. K. P. Raman Pillai : No, Sir.

Mr. M. S. Anirudhan : May I know the reason why it was vacated?

Mr. K. P. Raman Pillai : The rent was not paid regularly. It seems there was a suit pending in the Munsiff's Court of the place about the building.

Mr. M. S. Anirudhan : May I know, was no other building available at Kalavoor?

Mr. K. P. Raman Pillai : No information.

Medical aid in Kalavoor.

12. ***Mr. M. S. Anirudhan** : Will the Government be pleased to state :

(*a*) whether there is a dispensary or a Government-aided Vaidyasala in Kalavoor, Ambalapuzha taluk ;

(*b*) the distance from Kalavoor to the District Hospital at Alleppey and the District Hospital at Shertala ;

(*c*) the number of Government dispensaries and Government-aided Vaidyasalas within a radius of seven miles from the Kalavoor public market ;

(*d*) whether Kalavoor is a fairly thickly populated area ;

(*e*) the names of the public offices situated in Kalavoor;

(*f*) the names of allopathic dispensaries and Ayurvedic Vaidyasalas managed by private agencies ; and

[Mr. M. S. Anirudhan.]

(g) whether there is an up-to-date Ayurveda Vaidyasala by name the 'South Indian Charakavilasam Ayurveda Pharmacy' in the Kalavoor public market?

Mr. K. P. Raman Pillai: (a) There is a Government dispensary by name Kalavoor Dispensary which is situated at Chettikad, nearly 2½ miles from Kalavoor Market. There is no grant-in-aid Vaidyasala in the locality.

(b) 5½ miles to the District Hospital, Alleppey, and 7 miles to the District Hospital, Shertala.

(c) Government medical institutions—4; Government aided Vaidyasalas—5.

(d) Yes.

(e) One Sub-Registrar's office and an Anchal Office.

(f) No allopathic dispensaries are managed by private agencies. Government have no information in regard to the names of the Ayurveda Vaidyasalas managed by private agencies.

(g) A petition has been received from one Mr. C. K. Raghavan Vaidyan stating that he is conducting a Vaidyasala under that name.

APPENDIX I.

***Vide* Answer to Question No. 8.**

Statement *re* revenue copyists and copying fees in taluk offices.

Division.	Total No. of revenue copyists in the taluk office.	Amount realised as copying fee.			Average amount paid to each copyist.		
		Rs.	Ch	C.	Rs.	Ch.	C.
Trivandrum ...	31	2,629	19	12	4	1	0
Quilon ...	42	5,313	11	8	6	7	14
Kottayam ...	25	5,465	24	8	11	12	13
Devicolam ...	Nil.	Nil.			Nil .		
Total ...	98	13,408	27	52			

ADJOURNMENT MOTIONS.

President: I have received notices of six adjournment motions. The first is from Mr. Nedumangad R. Kesavan Nair. It reads thus :—

"I intend asking for leave to move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance namely the situation created by the irresponsible and unjustified indifference of the Police as disclosed by the events at Neyyattinkara on 25-7-1113, Nedunganda on 5-11-1113. Shertalai on 5-11-1113 and Chengannoor on 11-11-1113."

Before I go further with the matter, does the Honourable Member wish to make himself responsible for the statement that these incidents were due to the irresponsible and unjustified indifference of the police?

Mr. Nedumangad R. Kesavan Nair: Yes, Sir.

President: The matter is not of recent occurrence. It has been completely discussed all over the country and in regard to Chengannoor it is *sub judice*. I rule the motion out of order as not being a matter of recent occurrence or of urgent importance.

(2) The next motion is in the name of Mr. T. K. Kittan. It is as follows,

"I intend moving for the adjournment of the business of the council for the purpose of discussing a definite matter of urgent public importance, namely, the serious situation created by the unjustified lathi charge on students and others, by the Reserve Police, in and around the premises of the Science College on the evening of 31-11-1113."

STATEMENT.

"That a lathi charge took place on the evening of 31-11-1113 on students and others as alleged in the motion above is admitted. It is learnt that Government have constituted an Official Committee consisting of three educational officers to enquire into the conduct of students, but the motion is comprehensive enough to include not only the conduct of students, but of the authorities and the Reserve Police and the public. The matter does not solely concern students or discipline in educational institutions. The damage caused to property left lawfully on the premises cannot possibly be matter for enquiry by the committee."

The subject matter of this motion is not of recent occurrence. The Government have appointed a committee to enquire into the matter and the matter has been fully discussed. I understand there is another committee also functioning. But the matter is not one of urgent importance nor of recent occurrence. Therefore, I rule the motion out of order.

(3) There is another motion standing in the name of Mr. Korah. It reads as follows.

> "I intend asking for leave to make a motion for the adjournment of the business of the house for the purpose of discussing a matter of urgent public importance, namely, the illegal interference of Government Officers in canvassing support against the State Congress candidate in the recent Assembly elections at Mavelikara, by means of intimidation, personal violence, and undue influence brought to bear on the electors."

This is a matter which ought to have been raised in the form of an election petition. Grounds such as intimidation, personal violence and undue influence that where brought to bear on the electors are just the grounds which can be taken up in the form of election petition. It is a well-known rule in regard to adjournment motions that if there are legal remedies available in regard to those matters and those legal remedies have not been availed of during many months then such points cannot be raised in the form of adjournment. Morevover, it is not a matter of recent occurrence. As there are other remedies open to the aggrieved party to prove these matters in a judicial tribunal, I rule the motion out of order.

(4) The next motion is from Mr. R. V. Thomas. It reads thus.

> "I intend moving for the adjournment of the business of the council for the purpose of discussing a definite matter of urgent public importance, namely the serious situation created in the country by the rude shock sustained by the credit institution in the State by the Press Note published by the Government under date the 27th. July 1938 to the effect that "several small banking institutions in the State are finding difficulty in meeting the demands of depositors for repayment", that "there is a continual slow drain of money with no corresponding deposits" and that therefore the Government propose to conduct an examination of the system of accounts of all banks in the State."

I wish to know what the serious situation created in the country referred to by Mr. Thomas is.

Mr. R. V. Thomas (*Todupuzha* cum *Meenachil*): There are very serious runs on small institutions on account of the Press Note published by Government.

President: It was in order to prevent the run which had already started and to infuse belief in the mind of the people in banking institution and to restore confidence to the depositors that this Press Note was issued. In any case the matter is of urgent importance. If the honourable member wishes to move it, he can do so. But the question is whether the discussion in this

[President.]

house will not make it more serious from the point of view of the various Banks. There are many reasons why such a discussion would not be in public interest. But if the honourable member wishes to have a discussion he can do so. Does he press it?

Mr. R. V. Thomas : In view of the remarks made by the President that the discussion would lead to heavier run on these institutions, I do not press it.

President : The next motion for adjournment by Mr. N.V. Chakko is :—

> "I intend asking leave to move for the adjournment of the business of the house, for discussing a definite matter of urgent public importance namely the need for taking immediate steps for the grant of responsible Government in Travancore under the aegis of His Highness the Maharaja."

This is a matter that has already been dealt with elsewhere, but as it is very important I shall deal with it shortly here. In the first place, as remarked elsewhere, this is not a matter of urgent importance. The question of responsible Government has been before the country for many years and so far as one can judge it will be before the country for a long time to come. The question of responsible Government and the grant of responsible Government are also not matters which can be discussed under an adjournment motion, because, as will be seen, a motion which cannot be brought up as a resolution cannot be moved as an adjournment motion. Dealing with resolutions it will be noticed that no discussion shall be permitted in regard to any matter removed from the cognisance of the Chamber under Section 17 of the Regulation. Section 17 makes it clear that no amendment of this Regulation or the Rules made thereunder can be the subject of discussion in this House. Therefore, technically, this motion cannot be discussed. Apart from that, it is not a matter of urgent importance because the matter will have to be discussed and has been discussed for many years and there are many aspects of it, many interests to be consulted and many considerations pertinent to it and so it is not a matter which forms the subject of an adjournment motion. As a matter of adjournment motion it is thus incompetent and I rule it out of order.

The last motion is from Mr. K. K. Kuruvilla which reads thus :—

> 'I intend moving for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the serious situation created in the country by the declaration made by the Dewan, and the Chief Secretary to Government of Travancore that the Travancore State Congress is disloyal and subversive."

STATEMENT LAID ON THE TABLE.

Mr. K. J. Cherian (*Ag. Financial Secretary to Government*): Sir, Under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Regulation II of 1108.

Demand.	Amount in rupees.	Particulars.
I. Land Revenue	1,568	For the extended period of 3 months from 1-9-1113 of the Oodukur Special Officer and staff.
III. Education.	1,01,785	Donation to the Andhra University.
VI. Administration of Justice.	4,000	Under Law Officers—Fees to Vakils.
VII. P. W. D. including Capital Expenditure not charged to Revenue.	1,900	For works in the Radiological buildings of the General Hospital.
Do.	3,00,000	Under Commercial Transport.
Do.	15,000	For the construction of the boat basin at the Alleppey Port.
Do.	10,000	For the investigation for the supply of good drinking water at Ayiramthengu in Karunagapally Taluk.
Do.	6,280	For metalling the first 1½ miles of Alwaye-Edapally Road.
X. Medical.	3,956	For the maintenance of Electrical Installation in the Leper Colony at Noornad.

Demand.		Amount in rupees.	Particulars.
X.	Medical	1,01,785	Contribution to the All India Anti-Tuberculosis Programme
XI.	Public Health & Sanitation.	7,000	For the purchase of rice for distribution among Malaria patients in South Travancore.
XII.	Forest.	16,800	Under Research and Commercial exploitation.
XVI.	Ayurveda	2,516	On account of honorarium to the Director of Ayurveda, pay of the Personal Assistant &c.
XIX.	Agriculture & Fisheries.	492	Grant of an allowance of Rs. 50 per mensem to the Kariakar, H.H. the Maharaja's Garage and Stables for exercising supervision over Government Dairy Farm.
	Do.	4,000	Under petty construction and repairs and maintenance of cattle in the Government Dairy Farm.
XXVIII.	Scientific & Miscellaneous Departments.	871	Being the cost of the show cases manufactured at the P. W. D. Workshops for the exhibition of the Javancse and Balanese objects of arts
	Do.	3,130	Being the cost of articles purchased from Netherlands East Indies and transferred to the Government Museum.
	Do.	1,000	For an oil painting of H. H. The Maharaja for the Sri Chitralayam.
XXVII	Stationery & Printing.	50,000	Under cost of stationery.

PANEL OF CHAIRMEN.

President: I have to announce that under Rule 3 (1) of the Legislative Rules, I have nominated Mr. Kottoor Kunjukrishna Pillai and Mr. M. Govindan to the panel of chairmen for this session of the Council.

CUTS MADE BY THE SRI MULAM ASSEMBLY.

Mr. K. J. Cherian: Sir, the following cuts were made by the Sri Mulam Assembly in voting on the Demands for grants :—

Serial No.	Demand No.		Item in the demand from which deduction was made.	Amount deducted.
1	I.	Land Revenue Rs. 10,54,614	Rs. 2,600 for Land Revenue and Income-tax Commissioner (Travelling allowance)	Re. 1
2	IV.	Public Works Department including Capital expenditure not charged to revenue Rs. 48,45,137	Rs. 5,000 for Direction—Travelling allowance.	Re. 1
3	VII.	Excise Department Rs 7,18,105	Rs. 42,179 for Salt Factories.	Re 1
4	XIII.	General Administration Legislative Bodies Rs. 52,500	Rs. 55,500 for Legislative bodies.	Re. 1
5	XV.	Police Rs. 7,54,825	Rs. 2,000 for Commissioner—Travelling allowance.	Re. 1

Government have accepted these cuts and I request the permission of the President to amend the budget to be placed before the council accordingly.

President: Permission is granted.

PROCEDURE RELATING TO GENERAL DISCUSSION OF THE BUDGET AND VOTING OF DEMANDS FOR GRANTS.

President: Before we proceed to the general discussion of the budget, I wish to draw the attention of the honourable members to the general rules and the procedure which have to be observed in the discussion and debates in this House on the budget.

As you are already aware, the debate on the budget will begin today with a general discussion, followed by the voting of demands for grants from Tuesday. The maximum of four days allowed under Rule 74 of the Legislative Rules has been allotted for the latter. The demands will be discussed in the order in which they appear in the printed list placed in your hands. The demands under I—Land Revenue and Taxes on Income; and IV—Public Works may each be discussed for half a day, and not more than one hour will be allotted for each of the remaining demands.

The procedure in calculating the time for the voting of demands will be the one adopted in previous years. A day will be taken as from 11 A. M. to 5 P. M. of which the first hour is available for questions and answers and another hour (1 to 2 P. M.) will be the lunch interval. The remaining four hours will be reckoned as a full day and two hours as half a day. If the time taken up for questions and answers is less than an hour, the remaining time will also be available to the House for the voting of demands, but such available time will not go to increase the time allotted for any one demand, and will only enable the House to reach more demands.

Honourable members of the Council are of course aware that they should discuss each demand as a whole and vote upon it as a whole without moving for the reduction of any grant or of any item in a grant. To enable the discussion of each demand in the Council it is not necessary that the members should send in any specific motion, and the Council will have the right to assent or refuse its assent to any demand when it is put to the House.

During the general discussion no member other than the Financial Secretary will be allowed more than 15 minutes, and in the voting of demands for grants the time limit for speeches for members will be 10 minutes. I hope honourable members will so adjust their speeches as to make it possible for a good number of their colleagues including the official members to participate in the debates.

FIXING THE DATE OF ELECTIONS TO THE PUBLIC ACCOUNTS COMMITTEE AND THE STANDING FINANCE COMMITTEE.

I also wish to announce that this House will elect one representative to the Public Accounts Committee and another for the

[President.]

Finance Committee, for the next financial year, on Monday, the 15th August, after the proceedings of the day are over.

The elections will be conducted in the same way as in previous years and they will be presided over by one of the panel of chairmen.

The House will now proceed to the general discussion of the budget.

GENERAL DISCUSSION OF THE BUDGET.

Mr. Kottoor Kunjukrishna Pillai (*Quilon cum Kunnattur*): Sir, I rise to offer a few remarks on the budget presented by the Financial Secretary. It has been pointed times without number that the most significant feature of our finances was that its expenditure was increasing and its revenue is becoming more and more inelastic. I am glad to find that the Government have taken note of that significant fact. There are not many ways of increasing the revenue and there are not many effective means of introducing retrenchment in regard to expenditure. The only course open under these circumstances is either to increase the revenue by way of new taxation or the tapping of new resources and by retrenchment as far as possible. It has been found that it is not possible to introduce any fresh taxation in this country. Because this country mainly depends on agriculture and agriculture has become more and more uneconomic as days go by. Under these circumstances, Sir, the Government deserves warm congratulations and appreciation for tapping resources and inventing methods of augmenting our revenue by finding out sources which were till now unrecognised. I was rather surprised to find and I was delighted to see that even in quarters that were trying to find out a loop hole in the budget as it is presented they were finding it difficult to point out any substantial defect or criticism so far as the budget is concerned. All that could be done by the most malicious was to create vague fears and to give gloomy forecasts. Sir, any budget in the world can be attacked in this way. If you say that the anticipations will not be realised, that the estimates are too optimistic, there will be no surplus but everything will be deficit, that the financial position is weak, that the revenue surpluses have become small; all these are trite criticisms on budgets with which we are all familiar.

But one who looks honestly into the budget will find if one is to view things impartially that this is one of the very best budgets presented to the House in recent times and the new Financial Secretary deserves congratulations for the lucid presentation of it and for its scientific arrangement.

Sir, with regard to the budget I have been in the habit of urging Government and dinning into their ears that they should not keep a lump sum without being utilised for nation building purposes. There is no use in raising alarm that our cash balance has been reduced. On the other hand, representatives of the people ought to be glad, and I have been advocating this from 1108, that money must be spent more liberally and money must not be hoarded but must be spent for nation building activities for the purpose of benefiting the tax payer. Sir, it would be foolish to think that to spent money on nation building activities is a waste. On the other hand, it is foolish to keep it hoarded to meet unforeseen contingencies. Sir, unforseen contingencies might arise at any time in any country. But the greatest asset of a Government is the prosperity of its people. If the people are prosperous and their economic condition is kept at a higher level there is ample means to meet any contingency. That ought to be the aim of any Government, particularly our Government because we find it is profitable to invest our money on big industrial schemes as we cannot get high rates of interest anywhere else. I find that this budget has been characterised as a conservative budget by the Financial Secretary. But I am not one who considers that it is a conservative budget. It may be conservative in its anticipation of estimates. But the budget has to be characterised as a 'development budget'. What is a 'development budget'? 'Development budget', I know, is an ambitious term. The finances of the State have been clearly set forth in the form of a statement so far as the future spending policy of the Government is concerned. It has been given out frankly in the budget. Sir, that is a great advantage and improvement upon former budgets. Sir, I have seen this Government fighting shy of loans for remunerative purposes. It was a conservative view, I believe, which prevailed before the War that a State going in for loans is not a very desirable step so far as its financial position is concerned. But that theory has been blown up since the War. The War has been an eye opener in many directions. It is found that if the Government can train people in the matter of safe investments, that in itself is a great boon to the people. Sir, we find that the people in our country, rather the rich people not only in our country but elsewhere, are finding it difficult to find safe investments for their money. And we know perhaps only too well about the tragedies of people who go and invest their surplus funds in concerns that are, due to bad managements and worse conduct of its managers, crumbling down with the result that many families are ruined and made to suffer untold miseries. Under these circumstances I want to urge upon the attention of Government the necessity of going in for loans for reproductive works. Sir, we find that capital is very shy in our country.

[Mr. Kottoor Kunjukrishna Pillai.]

One of the reasons why capital is shy is that we are not accustomed to such investments. If Government would come forward and float loans to train up people in the matter of investments, I think people will not patronise loosing concerns and afterwards get desperate over the ruin of those concerns. If that is done by the Government people will be very much benefited and their money will be utilised for the benefit of the country. Sir, it may be said that the policy of floating loans may have some disadvantages because it will create competition in the private money market. I do not agree with that view. Sir, I am at a loss to find a private concern in which a large amount can safely be invested in our country. Secondly the market for Government loans is not exactly the market for the private concerns. Therefore there will be no serious handicap to safe private concerns that require the patronage and help of the investors and without harming them Government will be able to get loans and that a low rate of interest. And the amount thus obtained may be utilised for nation building activities. Sir, it is found that the Government of Travancore has launched upon very big schemes in recent years. There is no doubt about that. But I want to stress the point that the Government have not quickened their pace with regard to the practical realisation of these many schemes as much as they should. I am at a loss to see the reason why they should not boldly undertake the schemes that they have launched. I am led to think, Sir, that the Government are preoccupied with certain doubts caused by certain vilifications that have been going on on the Governmental policy created by certain people who do not understand the economic wisdom of these policies in and outside the State. I presume, Sir, Government are slackening their pace in regard to the working of the schemes because of these circumstances. I may be wrong in saying that. And I will be only too glad to be assured that I am wrong in this respect. But I am naturally led to infer that there is some little slackening in the matter of pushing through the many schemes that Government launched upon. Sir, what I wish to say definitely is that the Government should not heed this unthinking accusations regarding Governmental schemes. Sir, with regard to one scheme I wish to say a few words.

The transport has been taken up and enlarged by Government to a certain extent. But I think there should be absolutely no delay with regard to the extension of the Government Transport Scheme from Kottarakara to Kottayam, because I find from experience that this is the most inefficiently run line. And there is very great inconvenience experienced by the travelling public which

they have been suffering for a very long time more than in any other line. In the lines either from Quilon to Trivandrum or from Cape to Trivandrum we cannot see such difficulties as is experiensed in the Kottarakara-Kottayam line. I wish also to point out that all the buses in that line are monopolised by a certain clique. I found, Sir, to my astonishment that political considerations have put difficulties in the way of respectable gentlemen in the matter of travel. Sir, I have it as a fact from a very respectable gentleman that because he belonged to a political organisation, because he was working in a political organisation, because he was against another organisation to which the bus owners and the people who control the traffic from Kottarakara to Kottayam belong, that gentleman was refused admission into successive buses and he had to wait from 5 in the evening till 12 at night before he got a bus and reached his destination from Pandalam to Changanacherry. I do not know how this can be dealt with. I am assured that he has complained to the Police Commissioner regarding this matter and also to the Traffic Superintendent. If the Transport is conducted like this, and if travellers ought to confirm to the political views of the bus owners it would be a great hardship to the travelling public. The transport scheme introduced by Government, even if it does not bring out any remuneration to Government, I think if it does allow all persons to travel by bus irrespective of his political predilictions it ought to be, enough reason for emulation. Otherwise it would be curtailing our liberties to a considerable extent. The State should not allow that, I wish to point out that Government should take early steps to extend the transport system and take up the Kottarakara-Kottayam route as well. My fear is, that the private bus owners are not taking adequate steps to improve transport facilities as they ought to. This is a matter which I wish to bring to the earnest attention of Government. Sir, this is one instance in which the Government ought to push on with the scheme.

Then with regard to the Pallivasal Hydro Electic Scheme I wish to say a few words. I must say, Sir, that even though we can give full credit to the statement made by the Electrical Chief Engineer, there is a feeling in the country that the work is not progressing as speedily as they expected. That cannot be denied. It may be due to unforeseen circumstances and unavoidable difficulties. But, Sir, those difficulties which caused the delay, must be made up and the work must be speeded up. Now it gives opportunities for the people who are bent upon crying down every scheme of the Government that this scheme will be a failure. All sorts of lies are being spread. They say, a lot of money has been sunk

[Mr. Kottoor Kunjukrishna Pillai.]

at Pallivasal and there will be no electricity coming and no benefit done to the people by this scheme. I know, Sir, as a matter of fact during the recent elections one party exploited those transmission lines for condemning Government and asserting that if, their man was elected they would see that these wires are pulled down and that they would criticise the actions of Government in unmitigating terms and thus bring about a millennium. They were lecturing to the people like this: "Your money has been sunk in this venture and this venture is not going to succeed." All these lies were deliberately used by these people.

President: The honourable member has only 3 minutes more.

Sir, therefore, I say we should not leave the schemes in suspense; they ought to be speeded up as early as possible, irrespective of the doubts, misrepresentations and apprehensions.

Sir, with regard to the budget, regarding the expenditure side, I must say that there is necessity to look into the matter carefully and reduce the expenditure as far as possible. Sir, it is all very good that we should go on for big schemes to improve our material condition. We should even utilise all the revenues that we receive for developing the country as a whole, but at the same time, it must be shown that the expenditure side is very carefully scrutinised and all avoidable surplus expenditure is eliminated. It must be shown, beyond the shadow of a doubt, that we are only spending as much as is absolutely necessary to keep up the proper running of the Governmental machinery.

Before I sit down, I wish to make another point clear. It has been found that various economic schemes of undoubted value has had to be slackened and various other measures have to be stopped because of the unrest in the country. Sir, I point out very strongly to the Government that this unrest is mainly due to the communal bickerings among the representatives of the people. Sir, I have always held the view that this communal bickering is the inevitable consequence of the present system of single non-transferable voting which divides one community from another and cuts up the whole country on the basis of community.

Mr. K. R. Elankath: Sir, I raise a point of order whether in discussing the budget, the member is in order in referring to the constitution or the limitations of the Legislative Bodies.

President: Order, order. Ordinarily speaking there can be no discussion. The exact ruling is this: "It shall not be lawful for the Council or the Assembly to consider and enact any

measure relating to or affecting (a) The Ruling Family" etc., Any matter which is exempted under Section 17 cannot form the subject of a Resolution. So far as the general discussion of the budget is concerned, while no proposal could be made, a general passing reference to the constitution of the country may be made and this has been allowed in the past.

Mr. Kottoor Kunjukrishna Pillai: Therefore, according to me the reason for this communal rivalry, as is seen now among the representatives of the people, is due entirely to the fact that they owe their allegiance entirely to the individual communities. The voting system was introduced for helping certain minoity communities and to the communities to the whom reservation has been given.

President: The honourable member has one minute more.

Mr. Kottoor Kunjukrishna Pillai: Even though in one instance one minority representative was able to secure ninety-nine per cent. of the votes, of his community be was defeated; whereas another reservation community chose the candidate for the other in effect. Before the next election commences, I hope the Government will take necessary steps to see that this system of voting is changed because it cuts at the very root of national solidarity. Some people who talk high politics scarcely recognise or refuse to recognise the importance of this problem. Government will consider it very seriously and they will find that the introduction of plural voting system is the only solvent to make the legislature really representative of the people of the country. Under the present system it will create more and more bickerings and divide community from community and create greater hatred among the communities.

Sahib Bahadur M. Sultan Muhiadheen (*Trivandrum and Nedumanyad* cum *Chirayinkil*):

സർ, ബഡ്ജററ് പൊതുവിമർശനം നടത്തുന്നതിനു മുൻപായി ഒരു സംഗതി സന്തോഷത്തോടുകൂടി ഇവിടെ പ്രസ്താവിക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നു. അതായതു് ഈ രാജ്യത്തെ സാമ്പത്തികാധഃപതനവും കൃഷിപ്പിഴയും തന്നിമിത്തം ഉണ്ടായിട്ടുള്ള കൃഷിക്കാരുടെ സ്ഥിതിയും കാരുണ്യമേറിയ ഗവണ്മെൻറു മനസ്സിലാക്കി കരത്തിലൊരംശം ഇളച്ചുകൊടുത്തതിലും കരക്കുടിശിഖയെ സംബന്ധിച്ചുള്ള നിർബന്ധനടപടി തൽക്കാലം നിറുത്തിവച്ചതിലും ഗവണ്മെൻറിനോട് എനിക്കുള്ള നന്ദിയെ പ്രകടിപ്പിക്കുക എന്നുള്ളതാണ്.

[Sahib Bahadur M. Sultan Muhiadheen.]

൧൧൪-ാമാണ്ടത്തെ ബഡ്ജററ് മിച്ചം കാണിക്കുന്ന ഒരു ബഡ്ജററായി കാണുന്നതിൽ ഫിനാൻഷ്യൽ സെക്രട്ടറിയെ അനുമോദിച്ചുകൊള്ളുന്നു. നാട്ടുരാജ്യങ്ങളിൽ പ്രധാനസ്ഥാനത്തെ അർഹിക്കുന്ന ഹൈദരാബാദും മൈസൂരും തിരുവിതാംകൂറുമായി താരതമ്യപ്പെടുത്തിനോക്കിയാൽ തിരുവിതാംകൂറിലെ വരുമാനം ഒട്ടും കുറവല്ല എന്നുള്ള സംഗതി ഇവിടെ പ്രത്യേകം പ്രസ്താവയോഗ്യമാണ്. ചിലവു കുറയ്ക്കാതെയും കൂടുതൽ നികുതിഭാരം ചുമത്താതെയും എന്നാൽ പ്രധാനമായി വരാനുള്ള വരവുമാർഗ്ഗങ്ങളെ കണ്ടുപിടിച്ചും ഇപ്രകാരം തൃപ്തികരമായും സുദൃഢമായും ഉള്ള ഒരു ബഡ്ജററ് അവതരിപ്പിച്ചതിൽ ഫിനാൻഷ്യൽ സെക്രട്ടറി പ്രത്യേകം അനുമോദനാർഹൻതന്നെ.

അടുത്തതായി എനിക്കു പറയുവാനുള്ളത് ഗവണ്മെൻറിൽനിന്നു ഇടയ്ക്കു നടപ്പാക്കിയിട്ടുള്ളതും ജനങ്ങൾക്കു ഗുണപ്രദമായിട്ടുള്ളതുമായ ചിലപദ്ധതികളെപ്പററിയാണ്. ആദ്യമായി ട്രാൻസ്പോർട്ടു പദ്ധതിതന്നെ എടുക്കാം. ഗതാഗതം ചെയ്യുന്ന അനേകലക്ഷം ജനങ്ങളുടെ സൗകര്യത്തിനും ഗവണ്മെൻറിൻെറ ആദായത്തിനും ട്രാൻസ്പോർട്ടു പദ്ധതി വളരെ ഉതകുന്നുണ്ടെന്നുള്ള സംഗതി ഇവിടെ സ്മരണീയമാണ്. ഈ പദ്ധതിയെ തിരുവിതാംകൂർ മുഴുവനും വേഗത്തിൽ വ്യാപിപ്പിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. നാഗരുകോവിൽ ലൈനിൽ ബസ്സുകളുടെ കുറവു നിമിത്തം ഓവർലോഡ് കണ്ടമാനം കയറവരുന്നുണ്ട്. ഇതു ജനങ്ങൾക്കു വളരെ അസൗകര്യത്തെ ഉണ്ടാക്കുന്ന ഒരു ഏർപ്പാടാണ്. അതുകൊണ്ടു ആ ലൈനിൽ കൂട്ടുതൽ ബസ്സുകൾ കൊടുത്തു ഗതാഗതസൗകര്യം വർദ്ധിപ്പിക്കണമെന്നു ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു.

അടുത്തതായി എനിക്കു പറയുവാനുള്ളതു് തിരുവിതാംകൂർ യൂനിവേഴ്സിററിയെപ്പററിയാണ്. വിദ്യാഭ്യാസത്തിൽ മുന്നോക്കം നിൽക്കുന്ന നമുക്കു വളരെ മുൻപുതന്നെ ഒരു യൂനിവേഴ്സിററി അത്യാവശ്യമായിരിക്കുകയാണ്. ഇപ്പോഴെങ്കിലും ഗവണ്മെൻറു ദയവായി ആലോചിച്ചു് ഒരു യൂനിവേഴ്സിററി സ്ഥാപിച്ചതന്നതിൽ വളരെ സന്തോഷത്തിനു വകയുണ്ടു്. നാട്ടുരാജ്യങ്ങളിൽ പ്രഥമസ്ഥാനത്തെ അർഹിക്കുന്ന പല രാജ്യങ്ങളിലേയും യൂനിവേഴ്സിററികളെ അപേക്ഷിച്ചു് നമ്മുടെ യൂനിവേഴ്സിററി ജനങ്ങൾക്കു പ്രയോജനകരമായി ഭവിക്കുമെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല. അതായതു തൊഴിലില്ലായ്മകൊണ്ടും മററും വളരെ കഷ്ടത അനുഭവിക്കുന്നവരും മേലാൽ അനുഭവിക്കാനിടവരുന്നവരു

മായ ആളുകൾക്ക് ഈ യൂനിവേഴ്സിററി എന്തെങ്കിലും ഒരു ഉപകാരം നൽകുമെന്നുള്ളതിനു സംശയമില്ല.

പൊതുമരാമത്തുവകുപ്പിനെപ്പററി പറയുകയാണെങ്കിൽ തെക്കൻ തിരുവിതാംകൂറിലേക്ക് വളരെ കുറഞ്ഞ ഒരു തുകയേ ബഡ്ജററിൽ ചേർത്തിട്ടുള്ളൂ. ചീഫ് എൻജിനീയർ വലിയ മാസപ്പടി പററുന്ന ഒരു ഉദ്യോഗസ്ഥനാണെങ്കിലും സർക്കീട്ടുവിഷയത്തിൽ വളരെ വിരക്തികാണിക്കുന്നുണ്ട്. ഓരോ സ്ഥലങ്ങൾ സന്ദർശിച്ച് പൊതുജനങ്ങളുടെ അഭിലാഷങ്ങളെ മനസ്സിലാക്കി അവശ്യം വേണ്ടതു ചെയ്തുകൊടുക്കുകയെന്നുള്ള സംഗതി ഈ ചീഫ് എൻജിനീയറിൽ കാണുന്നില്ല. കുഴിത്തുറ—തേങ്ങാപ്പട്ടണം റോഡിന്റെ, ശോച്യാവസ്ഥയെപ്പററി ജനപ്രതിനിധികൾ ചീഫ് എൻജിനീയരോട് പരാതി പറഞ്ഞപ്പോൾ അദ്ദേഹം ആ റോഡിൽ ടോൾ ഗേററ് ഏർപ്പെടുത്താൻ സമ്മതിക്കുന്നപക്ഷം ആ റോഡു ശരിപ്പെടുത്തിത്തരാമെന്ന് മറുപടിപറയുകയുണ്ടായി. എന്നാൽ ടോൾ ഗേററ് ഏർപ്പെടുത്തി രണ്ടുമൂന്നു കൊല്ലം കഴിഞ്ഞിട്ടും ആ റോഡിന്റെ ശോച്യാവസ്ഥമാററാൻ ചീഫ് എൻജിനീയർക്കു സൻമനസ്സുണ്ടായിട്ടില്ല. വമ്പിച്ച ശമ്പളം പററിക്കൊണ്ടിരിക്കുന്ന ഈ ചീഫ്എൻജിനീയർ ഇരിക്കുന്നിടത്തോളം കാലം അദ്ദേഹത്തെ ശരിയായി ജോലിചെയ്വാൻ നിർദ്ദേശിക്കയോ അല്ലാത്തപക്ഷം അദ്ദേഹത്തിന്റെ സ്വദേശത്തേയ്ക്കു അദ്ദേഹത്തെ പറഞ്ഞയയ്ക്കയോ ചെയ്യുന്നതു് നന്നായിരിക്കും. (മി. ജോസഫ്കുഞ്ഞു്, ഹീയർ, ഹീയർ)

പോലീസു ഡിപ്പാർട്ടുമെന്റിലെ കീഴുദ്യോഗസ്ഥന്മാർ ചെയ്യുന്ന ചില അഴിമതികളെപ്പററിയാണ് ഇനി എനിക്കു പറയുവാനുള്ളതു്. ഇവർ ചില അനാശാസ്യമായ നടപടികൾ നടത്തുന്നു എന്നുള്ളതു് എല്ലാവർക്കും അറിവുള്ള ഒരു സംഗതിയാണ്. ഊർജസ്വലനും സത്യസന്ധനും സമർത്ഥനുമായ പുതിയ പോലീസ് കമ്മീഷണരുടെ ആവിർഭാവത്തോടുകൂടി അദ്ദേഹം ഈ മാതിരിയുള്ള അനാശാസ്യനടപടികൾ മേലാൽ ഉണ്ടാകാതെ വേണ്ട ജാഗ്രത ചെയ്യുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. പോലീസു ഡിപ്പാർട്ടുമെന്റിൽ അനാശാസ്യ നടപടികൾ നടത്തുന്നതു് കുറഞ്ഞ ശമ്പളക്കാരാണെന്നും അതിനു കാരണം അവരുടെ കുറഞ്ഞ ശമ്പളമാണെന്നും ചിലർ പറയുമായിരിക്കാം. അതൊരുവിധത്തിൽ പരമാർത്ഥവുമാണു. അവരുടെ ഇപ്പോഴത്തെ കുറഞ്ഞ ശമ്പളം ൧൧ രൂപായുമാണ്. അതു മാററി അവരുടെ കുറഞ്ഞ ശമ്പളം ൧൫ രൂപാ

[Sahib Bahadur M. Sultan Muhiadheen.]

യാക്കുന്നവിഷയത്തിൽ ഇപ്പോഴത്തെ കമ്മീഷണർ വേണ്ട ശ്രദ്ധ പതിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

മി. പെന്താമിയാ സാഹിബിനെ അഞ്ചൽ സൂപ്രണ്ടായി നിയമിച്ചതിനു മുമ്പും പിന്നീടു ഇതുവരെയും ഞങ്ങളുടെ സമുദായത്തിൽനിന്നും ആരെയും ഒരു ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷനായി നിയമിച്ചിട്ടില്ല. ഇതു കഴിഞ്ഞിട്ടു ഏകദേശം പത്തുപതിനഞ്ചു കൊല്ലം ആയിരിക്കുന്നു. മുസ്ലീം സമുദായത്തിൽനിന്നും ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷനായിരിക്കാൻ യോഗ്യതയുള്ളവർ സർവീസിൽ തന്നെ ധാരാളമുണ്ടു്. അവരിൽനിന്നും യോഗ്യതയുള്ളവരെ തിരഞ്ഞെടുത്തു ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷന്മാരായി നിയമിക്കണമെന്നു ഞാൻ ഗവൺമെൻറിനോടു പ്രത്യേകം അപേക്ഷിച്ചുകൊള്ളുന്നു.

സെക്രട്ടറിയേററു, ജുഡിഷ്യൽ, എഡ്യൂക്കേഷൻ, മെഡിക്കൽ എന്നീ വകുപ്പുകളിൽ മുസ്ലീങ്ങളുടെ പ്രാതിനിധ്യം വളരെ കുറവാണെന്നു പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. ഈ ഡിപ്പാർട്ടുമെൻറുകളിലെല്ലാം തന്നെ ഏതു തരത്തിലുള്ള ജോലികളും വഹിക്കാൻ പ്രാപ്തിയുള്ളവർ മുസ്ലീം സമുദായത്തിൽ ധാരാളമുണ്ടെന്നുള്ള സംഗതി ഗവൺമെൻറിനു മറച്ചുവയ്ക്കാൻ സാധിക്കുമെന്നു തോന്നുന്നില്ല. അതിനാൽ ജുഡിഷ്യൽ, സെക്രട്ടറിയേററു, മെഡിക്കൽ ഈ വകുപ്പുകളിൽ ഇപ്പോൾ സർവീസിലിരിക്കുന്നവരിൽനിന്നും വെളിയിൽനിന്നും യോഗ്യതയുള്ള മുസ്ലീങ്ങളെ നിയമിച്ചു കാണ്മാൻ ഞാൻ ആഗ്രഹിക്കുന്നു.

അടുത്തതായി എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിനെപ്പററിയാണു് എനിക്കു പറയുവാനുള്ളതു്. പൊതുവെ സ്ത്രീവിദ്യാഭ്യാസത്തെയും പ്രത്യേകിച്ചു മുസ്ലീം സ്ത്രീവിദ്യാഭ്യാസത്തെയും പ്രോത്സാഹിപ്പിക്കുന്ന വിഷയത്തിൽ ഗവൺമെൻറു വേണ്ടതു പ്രവർത്തിച്ചുവരുന്നു എന്നുള്ളതു് എല്ലാവർക്കും അറിയാവുന്ന ഒരു സംഗതിയാണു്. മുസ്ലീം സ്ത്രീവിദ്യാഭ്യാസത്തെ സംബന്ധിച്ചു ഒരു സംഗതി ഗവൺമെൻറു ചെയ്തുതരണമെന്നു എനിക്കപേക്ഷയുണ്ടു്. മുസ്ലീം സമുദായത്തിൽനിന്നും ബി. എ. എൽ. ടി. പാസ്സായ ഒരു വനിത ഇപ്പോൾ എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിൽ കുറഞ്ഞ ഗ്രേഡിൽ ഉദ്യോഗത്തിലിരിക്കുന്നുണ്ടു. മുസ്ലീം സ്ത്രീകളുടെ വിദ്യാഭ്യാസപ്രോത്സാഹനാർത്ഥമെങ്കിലും ഈ വനിതയുടെ ശമ്പളം വർദ്ധിപ്പിച്ചു ഉയർന്ന ഒരു ഉദ്യോഗത്തിൽ നിയമിക്കണമെന്നു ഞാൻ ഗവർമെൻറിനോടു അപേക്ഷിക്കുന്നു.

മുസ്ലീം വിദ്യാഭ്യാസത്തെ സംബന്ധിച്ച ഗവൺമെൻറ പല സൌജന്യങ്ങളും ചെയ്തുതരുന്നുണ്ടെന്നുള്ളതു ഞങ്ങൾ നന്ദിയോടുകൂടി അനുസ്മരിക്കുന്നുണ്ട്. അറബി പഠനത്തിനായി വേണ്ട സൌകര്യം ഗവർമെൻറ ചെയ്തു തരികയും അതിപ്പോൾ പുരോഗതിയെ പ്രാപിച്ചുവരികയും ചെയ്യുന്നുണ്ട്. എന്നാൽ ഇപ്പോൾ തുടങ്ങിയിട്ടുള്ള യൂനിവേഴ്സിററിയിൽ അറബിപഠനത്തെ സംബന്ധിച്ച യാതൊരു ഏർപ്പാടും ഗവൺമെൻറ് ചെയ്യാതിരിക്കുന്നതു് വളരെ കഷ്ടമാണ്. അതുകൊണ്ട് അധികാരികൾ ഈ വിഷയത്തിലും വേണ്ട ശ്രദ്ധ പതിപ്പിച്ച ഉടനടി എന്തെങ്കിലും ചെയ്യണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

അവസാനമായി എനിക്കു പറയുവാനുള്ളതു് ബഡ്ജററ് അവതരിപ്പിച്ച അവസരത്തിൽ ദിവാൻ പ്രസിഡൻറ ചെയ്ത പ്രസ്താവനയെക്കുറിച്ചാണ്. ജനങ്ങൾ ഗവൺമെൻറുമായി സഹകരിക്കുന്ന പക്ഷം ജനങ്ങളെ ഉപദ്രവിക്കാതെ രാജ്യത്തു കൂടുതൽ വരവുണ്ടാക്കാമെന്നും, ആ വരവു രാജ്യോന്നമനത്തിനുവേണ്ടി ചിലവുചെയ്യാമെന്നും തന്നിമിത്തം ജനങ്ങളുടെ ഐശ്വര്യം വർദ്ധിപ്പിക്കാമെന്നും ദിവാൻ പ്രസിഡൻറവർകൾ പ്രസ്താവിക്കയുണ്ടായി. അതു പരമാർത്ഥമായ ഒരു സംഗതിയാണു. നമുക്കു തമ്മിൽ എന്തെല്ലാം തെററിദ്ധാരണയോ അഭിപ്രായവ്യത്യാസമോ ഉണ്ടായിരുന്നാലും അവയെ ഇല്ലാതാക്കി രാജ്യോന്നമനാർത്ഥം പൊതുജന പ്രതിനിധികളായ നാം എല്ലാവരും ഒന്നുചേർന്നു ഗവൺമെൻറിനോടുകൂടി സഹകരിക്കേണ്ടതാണ്.

Mr. K. K. Kuruvilla: Sir, I rise to speak on the budget, not to criticise it nor to congratulate its author. My purpose is to make certain observations which I hope will be useful in the preparations of the budget and to our people.

What I feel about the budget is that, in framing it, due consideration has not been given to certain aspects which should have been attended to. I shall make myself clear. The Dewan-President, in his statement to the Joint Session of the Legislature, very aptly remarked that he would give due consideration to the problem of the ryots of the country. That very appealing statement has since been supplemented by the declaration of remission of taxes in certain places and reduction in other places. But when I scan the pages of the budget, I find there is very little in it indicating the partial fulfilment at least of the desire of the Dewan-President. Let me quote a fiew instances.

[Mr. K. K. Kuruvilla.]

Sir, about 40 per cent. of our total income is spent on the salaries of our officers. Out of the 60 per cent. left for the people as a whole, drainage, town-planning *etc.*, consume about Rs. 25 lakhs. Out of this Rs. 25 lakhs only Rs. 7, 000 has been set apart for a rural area, namely, Shertala. Rs. 7,000 out of Rs. 25 lakhs, for the development of rural areas ;

In regard to ryots' roads about which there has all along been persistent cry from the different parts of the country, only Rs. 17,000 has been set apart for new works during 1114 ; and out of this Rs. 17,000, Rs. 7,000 has been allotted for metalling the roads, so that only Rs. 10,000 will really be available for the development of ryots' roads. Sir, I need not add instances further. It is clear that only a very little amount of our large income is being devoted for the development of rural areas. Out of about Rs. 259 lakhs which is proposed to be spent during 1114, suffice it to say that we propose to spend only Rs. 10,000 for rural development, Rs. 3,000 for the Development Board, Rs. 30,000 for backward communities, in all about Rs. 40,000 for the real good of the masses. Sir, that is a very sad reflection on the preparation of the budget, however excellent it may be in other respects.

I shall now pass on to a few important suggestions which I want to make to the Government. Sir, it has been suggested all over the country that the Conciliation Boards should be so modified that the debts of a person would have some reference to the price of produce in the country and to the amount of interest he has already paid. Certainly, the Credit Bank should be so worked that the Bank would take over the liabilities of the debtors and accept the repayment of the debts to the Bank in easy instalments. That is my first suggestion to the Government.

The next suggestion that I would like to make is about what I would call Pakuthi reorganisation. It is a well known fact, Sir, that the various officers, especially of the nation-building departments, do not co-operate with each other nor co-ordinate their work ; this is particularly so in the case of the subordinate officers among whom there is a certain amount of rivalry between one department and another. I should think that many of our problems can really be solved if we can bring about an understanding between the officers of various departments. There should be an organisation in which the P. W. D. Supervisor, the Proverthicar, the Inspectors of Co-operative Societies and of Agriculture, and the representatives of the people will be members. Such an organisation will certainly be a great boon to the country.

I would recommend such an organisation for another reason as well. At present Government have necessarily to depend upon the reports of certain subordinate officers, like the pakuthi officers or

the C. I. D. Much of the trouble in the country is due to the false reports submitted by these subordinate officers who have neither the education nor the character to represent facts as they are; and this is true whatever be the community of the officer. If, as I am now suggesting, we have these village organisations, Government can have reliable reports to proceed upon. No report, no information should go to the Government except through these pakuthi organisations. So long as we depend upon people whose consciences are so dark that they cannot distinguish between right from wrong, there can be no peace and satisfaction in the country. That is the reason why I say that we should create responsible pakuthi organisations.

There are also two other reasons in support of this suggestion. Just as plants turn towards light, roads have a tendency to turn towards influential quarters instead of to places where they are really needed. I myself have made representations to authorities about two or three roads. I am not referring to Mr. Truscott, and my remarks are not directed against him like those of some of my friends here. Sir, I have made representations for a few roads which would have cost just three or five thousand rupees on the whole, roads which would have greatly helped the ryots in the country. I am sorry to find that the budget does not provide for any of these roads.

Lastly and finally, I may mention that these pakuthi organisations should ultimately so develop that they will have their influence felt in the central Government. The real trouble in our country now is that the people have no real organisation to make their will felt in the central administration. I do not see why some people are so much against responsible Government. To my mind, the primary basis of responsible Government is that the people of the country must have an organisation by which they can impress their will definitely and clearly on the central Government. People must have the satisfaction that they have the right of direct approach—not through C. I. D. or the Police—straight to the authorities where they can make their will felt. I do not think there is any one in this country who will say that it is either disloyal or subversive to have an organisation by which the people can express, strongly and effectively, their will to the central Government; any Government which understands popular will will surely respond to it. Therefore, Sir, I hope that, before the end of 1114, the question of these Pakuthi organisations will receive special consideration at the hands of Government. The Chairman of this Council is also the Dewan of the State. I hope he would immediately turn his

[Mr. K. K. Kuruvilla.]

attention to this very important suggestion that I have made. As I have indicated, my chief criticism is that the people have no real organisation to express their will.

I have one more point, and that is about the nationalisation of industry in this country. Sir, I have always been an advocate of nationalisation of certain industries. I have no opposition against that idea as such. But our difficulty here is that one thing follows another in such rapid succession that the ordinary man gets bewildered. Pallivasal, Rubber, Sugar, Ceramics, Transport, have all come in such quick succession that our people are not able to grasp fully the value of these schemes or to realise their consequences. If people are not given sufficient time, sufficient interval, to consider what is behind all these and what the economic consequences of these will be, certainly we cannot expect them to appreciate such schemes. What I therefore plead is that we must go rather slow. There may be exceptional people who have brilliant intelligence and intuition to look into even big problems very quickly but we must think of the common man. After all, Sir, as Abraham Lincoln has stated, God loves the common man, and hence he has created so many of them. Therefore, instead of going on so rapidly, Government must adjust itself to the Psychology of the ordinary man so that even he can understand it and respond to it. The chief defect in this quick succession of big schemes is that money is being diverted from important schemes that contributes to the welfare of the people and is spent on less important things. In this connection I would request the permission of the Chair to read an extract from a Review of Provincial Budgets in British India, a Review with which I entirely agree.—

> "The main attempt seems to be one of careful manipulation of the normal revenue and expenditure so as to transfer larger sums to the ameliorative departments. This is made possible by mild retrenchment over a large field, reduction of salaries and allowances, reduction or amalgamation of departments. More value is obtained by a new order of preference of items, so that the villages obtain more than larger towns, direct work more than buildings, small beneficial schemes more than ambitious gigantic schemes. Money is thus widely distributed rather than tied up in large commitments for long periods."

Sir, I wish I had the privilege to make the same comment on the budget that is presented before us but I am sorry that I cannot do so.

Mr. Eric Hall (*Travancore Planters*): Sir, the previous speaker referred to the budgets of the Provincial Governments and his remarks brought to my mind the Budget of a neighbouring country where the population is approximately the same as in Tra-

vancore. There, the budget estimate is for Rs. 1214 lakhs for a population of about 50 lakhs. When going into the details of that budget we will find that for a population of 5 millions, the estimate for the budget for Education is Rs. 142 lakhs against Rs. 44½ lakhs in this country. Knowing those countries as I do, I can only say that if they are getting value for the money that they spend on education then we get more for the money that we spend on education. However, it goes to show that the best is being made of the money which we spend in Travancore. If there are not those sources of income which the other country has, at least we are doing the best with what we get.

It is very pleasing to see that we are not allowing our money to remain idle as some people would advise. If money is made to work, money will make money. There is no commonsense in keeping money hidden away when there are opportunities to make it useful.

I would touch on the agricultural aspect of the budget. It is true, Sir, that in your speech you said that agriculture was degenerating. Travancore is no exception to the rule and throughout the world where intensive agriculture is carried on, the land is slowly but surely going waste. I know that in America an area of 10,000 square miles, of what was very fertile soil, has now become a sandy desert without absolutely any vegetation on account of this intensive cultivation and soil erosion. That is a picture which we in Travancore should not forget. From our experience here, we see that the lands are becoming more and more infertile now, we will find that in course of time they will be of little use. That is the result of intensive cultivation, taking crops and leaving nothing behind in the land. What was in the jungle? There were wild animals, and there was no taking stuff out of it. The land was fertile and yielded good crops. But you cannot expect the land to yield for all time.

As regards Japan, what has happened there? I am now coming to industries, the necessity for exploring every avenue of industry in this country, because the result of intensive agriculture is degeneration of the land and the people of this land will have to depend ultimately on industries. The poorest agricultural country in the world to-day I think, is Japan. I recently read about agricultural Japan and I can only say that the yield per acre in Japan is not nearly so great as the average yield of Travancore, and 60 per cent. of the population there are dependent on agriculture. The result was that the Government of Japan about forty years ago said—Industrialise Japan and industrialise the people. What did

[Mr. Eric Hall.]

they do? They sent their students to England; they sent their students to Germany; they sent their students to every part of the world where there was industrial progress. What was the result? The pupils have become master of their own teachers and to-day as a result of searching round and leaving no avenue unexplored to make Japan an industrial country, they have exceeded the exports of every other country with one exception. That shows you that in Travancore with agricultural degeneration we must explore every direction, rubber manufacture, sugar manufacture, ceramic manufacture, or monazite etc. We must at least search round as Japan did and give such industries a trial. No new industry can prove itself a success within a few months. Sometimes an industry may require years before it can be a success. It requires the co-operation of everybody and in course of time you will find that these industries as they have been in other countries will prove a success. What we do not consume ourselves we would sell out of Travancore and we get new money into Travancore and that in my humble opinion is what we ought to do. We want to get money into Travancore. It will provide appointment to those who have no work and that in few words, means prosperity. Therefore we must see to it that we search for other industries if we have the money now.

Touching on agriculture, I recently had a pleasant experience when at Quilon, I saw a number of officers conducting scientific agricultural experiments. It was of the greatest interest to me. That, I consider, is one of the sources of life in Travancore. Agricultural scientific research must be augmented and we must find out how we can get the best out of the Travancore soil and its fertility. If we cannot augment, we must at least maintain the fertility. I would like to see more money spent on agricultural research which will benefit every one of the agriculturists.

With regard to transport, the new prospective transport from the north Travancore to Alwaye and thence to Cochin, I should think, is a very fine thing indeed. Under Government control and security I have not the slightest doubt that there will be more demand for Government transport. There is nothing more gratifying than to know that you have security in the transport of your goods. From my experience in transport of goods, I can say that goods have not always reached their destination. I may assure the House that when there is Government control over the transport and liability to see that the goods reach the other end the planters will be benefited and the purchasers may also get the goods quicker.

Touching on P.W.D it just struck me while I was coming this side that some years ago we mentioned the good parts of the roads

but now we refer to the bad parts. The extent of new roads which have been made and maintained is considerable and the condition of these roads I should think is very satisfactory.

President: The honourable member has two minutes more.

Mr. Eric Hall : There is nothing more, Sir, that I wish to say except that the budget is an exemplary one.

Mr. James Fletcher: With very great pleasure I congratulate the Government on the Surplus Budget. The Budget shows that the expenditure on nation-building departments has not been curtailed but there is an all round increase to the extent of Rs. 10½ lakhs. Under the item of Education alone there is budget provision for an increased expenditure of about Rs. 3½ lakhs. On account of the economic depression prevailing all over India and especially in Travancore, one naturally expected that the State income would not permit even the usual expenditure. But the great statesman who is at the helm of the affairs of this country has succeeded in raising necessary funds from fresh fields and pastures new.

The revenue budgeted for the ensuing year is Rs. 261·41 lakhs. But this revenue has not been obtained by increasing taxes on the people ; but by other means the necessary funds have been found, for example, by nationalising the transport, by successful negotiation with the Government of India in the matter of Cochin Harbour, by taking effective measures to check the smuggling of tobacco through the frontiers, by making Chitra coins an unlimited tender, and by working the Ceramic Factory. By such means the State has succeeded in raising the necessary funds for meeting the increase in expenditure.

Mr. Nedumangd R. Kesavan Nair : May I know, how far the State has succeeded in raising money from the Ceramic Factory ?

Mr. James Fletcher : By the end of 1114, I can assure my friend that the Ceramic Factory would yield about a lakh of rupees.

It is to be noted with pleasure that the financial position of the State is as sound as it ought to be. In the speech explaining the budget, the Dewan President informed us of the progress made by the State on the industrial side. He told us also of the policy of the Government towards industrialising this State. We are thankful to the Government for their wise policy of implementing the agricultural resources of the country with those from industrial enterprises.

[Mr. James Fletcher.]

I shall now consider another aspect of the needs of Travancore. If one has regard to the fact that more than 70 per cent. of the population of the State depend on agriculture for their sustenance and well-being, one can easily envisage the need for a well-equipped Department of Agriculture, with the primary object of improving the system of agriculture. Over and above the cultivation of food grains, Travancore needs the development of commercial farming. The cultivation of tobacco, Ground-nuts, Soya beans, etc., can be tried on a large scale in suitable places in the State. It should be the duty of the Agricultural Department to see that the agriculturists take up the best method of farming at an early date. But more than the commercial farming, I would like to stress the need for increasing effectively the production of paddy. It has to be admitted that Travancore may not be in a position to supply all the rice necessary for consumption in the State. But, however, it is a poor consolation to see that Travancore should be purchasing paddy worth about two to three crores of rupees every year for consumption in the State. It should be the aim of Government to reduce this large drain of money from the State by increasing the yield of paddy in Travancore itself. And, with the educated public, with the educated ryots, I think that Travancore can easily manage to increase the yield of paddy by scientific cultivations. For succesfully carrying out the above object, we want a well organised Agricultural Department with an educational institution fully equipped with a research institute second to none in importance and district model farms, where local problems can be tackled, by trained men who will constitute an effective link between the peasant and the department. This should be the object of our Agricultural Department. Sir, in this connection I want the University of Travancore to supply the necessary qualified men for this work and our new University can easily produce such men who will have the local knowledge and scientific education for bringing about a revelution in the matter of production of paddy in the State.

I may also point out that one of the causes for the poor yieldof paddy is due to the poverty of the agriculturists. The agriculturist is not in a position to improve his cultivation or increase his output in his profession, though it is well known that Government is trying their best to relieve the agricultural indebtedness in various ways. One of the methods that has been adopted was by passing an Agricultural Debt Relief Regulation and having a certain number of Government officers in various places as Conciliation Officers, to help the agriculturists in the matter of settling their debts. I may submit that Conciliation Boards have been doing their best to relieve the indebted agriculturists. But the provisions of the Agriculturists Relief Regulations are not comprehensive enough to touch

even the fringe of the problem of rural indebtedness. A special legislation is urgently needed to inplement that Regulation with provisions similar to those contained in the Madras Agricultural Debt Relief Act.

Another urgent need to help the Agriculturist is by way of improving his irrigation facilities. The budget of course provides some allotments for improving irrigation. But, to my mind, that provision is not sufficient. The agriculturist at present is entirely at the mercy of the irregular rainfall. When there is no rain, he loses all the efforts he had put in cultivating his paddy field. Therefore it is necessary that irrigation facilities are so made that the agriculturist can impound all the rain water in irrigation tanks and take from them the necessary water according to his needs. All over Travancore and especially in the South the irrigation tanks are without water during most part of the year. The tanks get silted up. I submit that, as early as possible, arrangements should be made to keep the tanks fit to hold necessary water to feed the fields that are situated nearby.

Another important matter I would submit is about the question of taxation. In South Travancore especially, the Government are aware that on paddy fields as well as on lands, tax is heavy and I understand that Government have sympathetically considered that aspect of the matter. But no permanent arrangements have yet been made to bring about relief to those people. Therefore I suggest that the Government would immediately call a committee with members from both the Houses and with the present Land Revenue Commissioner as Chairman so that, a scheme may be drawn up during the ensuing year and permanent relief effected by removing the existing heavy taxation to the people of those districts.

Another point I wish to submit is with reference to the malarial condition in Neyyattinkara Vilavancode and Kalkulam taluks. There are a large number of pakuthies in those taluks where malaria is prevailing. It is true Government have spent some mony towards giving relief for the people who are malaria stricken. It is also true that Medical Officers have been sent over to that area to give medical aid. Unfortunately the patients have been getting only English medicines with the result that those who have just recovered from it are unfit for any sort of physical exertion. Therefore I request Government that they may be pleased to send some of the Siddah Vaidyans who are prepared to go to the spot and live among the malaria stricken people and give them all the help they can. I also request Government to place generous sums of money for helping the malaria stricken people.

*__Mr. K. R. Elankath:__ Sir I wish to offer a few remarks on the budget. The Government should be congratulated on the fact of their being able to present us a budget showing the largest amount of revenue from this state. When criticizing the Budget, one should be necessarily and justifiably permitted, to view it from an ordinary layman's point of view than from the point of view of a technical expert. The increase which we find in the total receipts of the State is, I should think, phenomenal. As such, one naturally looks to the ways and means by which that excess amount anticipated could be spent. Viewed in that light, I cannot fully agree with the members who have decided to shower congratulations on the Financial Secretary. I cannot but observe that the ryot's point of view has almost been totally ignored. In this connection I should be failing in my duty, if I do not express gratitude for what the Government have done by way of a small remission of tax.

The House rose for lunch at 1 p. m. and reassembled at 2 p. m. with the President in the Chair.

Sir, I was referring to the Dewan's announcement made recently permitting remission in some cases wholesale, in some cases 50 per cent and the rest 12 per cent. Whatever be the good intentions of Government in making this announcement to the best interests of the agriculturists, I would bring to the notice of this House and the Government that if this announcement had been made a couple of months before, early in Edavom, it would have had the maximum benefit because as the year is closing, all the revenue is realised from the ryots by all coercieve means available. But as it is, the benefit comes too late. Even there, an exception is made in the case of some persons. It is not to affect rich landlords or people who can afford to pay. But I would ask ,whether if rich people can afford to pay out of income other than from their property they are to suffer on that account.

Mr. K. George: The exception is contemplated only as far as tea, rubber and cardamom planters are concerned.

Mr. K. R. Elankath: Even in that case I would suggest that, if for unavoidable reasons, fluctuations in prices, owing to reasons beyond the control of the planters, is it not legitimate that they also should be brought within the provisions of the announcement? The principle of remission is that whenever the land does not, owing to reasons beyond the control of the ryots, yield the produce, the ryot is entitled to remission. I cannot see any reason why the Government should not extend the benefit of the concession even to big landlords. I was speaking about the difficulties of

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Speech not corrected by the member.

the ryots who on account of their honest intentions had to pay their tax. Government can even now, although too late, announce that what amount they have given as tax for this year may, be considered as payment due for the next instalment. In that case Government will not have to refund the amount. Because the honest peasant who by pledging his ornaments or by his difficult situations was forced to pay by means of coercive processes, why not he be also given the benefit of this concession?

Coming to the excess in revenue which I referred to, this year's receipts have exceeded by more than Rs. 10 lakhs from that of the previous years and ordinarily one expects that at least a good percentage of this amount will be utilised for the best advantage of the rypts whose suffering is hardest in thise days of drought. He cannot now produce what these lads would have fetched some four or five years back. It is no use crying every year that the wishes of the peasants are not heeded to. Government, I understand, are appointing investigation officers in certain areas to find out means by which their conditions could be improved. These investigating officers do not come to any conclusion even after working for years and one of the reasons is that even for investigation adequate provision is not made in the budget. I find that what the P. W. Department, spending nearly Rs. 40 lakhs, has provided for the investigation officer is Rs. 600 for investigating work in South Travancore, how the irrigation facilities may be improved and all that. You can find how inadequate it is when you come to the actual working such as the restoration of tanks and rebuilding of tanks. What I find is that for the whole of the Nagercoil Division what is provided is a trifling sum of Rs 17,000 for maintaining, restoring and the upkeep of the irrigation facilities in that area comprising Nanjinad and Edanad. I would suggest that a five year plan or a three year plan or, if the Government find it difficult, even ten or fifteen year's plan, by which the problem of irrigation may be tackled, may be adopted and the restoration works of tanks taken up as a whole. When coming to the restoration of tanks the Chief Engineer and the Department think that restoration means removal of the surface silt. When the Chief Engineer came for inspecting a very important tank in Eraniel I was also there and was discussing about the result of the investigation that was made. What he told me was that the depeening would mean a large amount than the Government cannot spend. It would be better if five or six tanks are well maintained rather than fifty or sixty tanks kept in a haphazard manner. There is no good in keeping such tanks and saying that Government have restored such and such number of tanks. So I would suggest to the Chief Engineer and the Government to see that what they do may be well done and to the

Mr. K. Elenkath.]

best advantage of the ryots for whose benefit it is done. Then there are tanks for which provision is made in one year's budget and when the work is half done it is left there. For the restoration of a particular tank in Suth Travancore a sum of Rs. 3,000 was made in the last year's budget. But no provision is made for it this year. The tank that was half constructed last year is to be in that conditon till additional sum is provided for some five or six years hence. The money invested and the interest on that amount is a waste. I do not wish to speak about it in detail when discussing on the budget in general but I shall refer to it when the discussion of the particular demand comes.

Coming to the larger question like the transport and commercial enterprises, I would point out to the Government that although the results, have proved themselves to be a commercial gain I would suggest some improvements to be made with regard to the same, the details of which I shall refer to on another occasion. In calculating the profits on the commercial transport I doubt whether the Government are calculating the income which they were receiving by way of tolls, license fees and the income by way of petrol duty. I will avail this occasion to appeal to Government that this opportunity may be taken to see that all tolls are abolished. Especially in South Travancore where the state transport has been introduced, the major portion of the toll, nearly 75 per cent was being paid by big bus owners, like the Pioneer and the syndicate Companies. When the 75 per cent of the tolls are allowed to be made by book adjustment, why should the poor ryots and the car owner be taxed for the 25 per cent? When nearly a lakh and odd rupees was the income collected by way of tolls, after the transport system has come into being only 30 or 40 thousand rupees are being collected by way of tolls.

Mr. M. Govinda Pillai: May I ask the member whether he is aware that the transport buses have also to pay tolls?

Mr. K. R. Elankath: That is only a book adjustment. That amount is calculated as an additional income under tolls and at the same time it is subtracted from the transport Department. The practice now is that the transport buses are given a pass and at the end of the year they make adjustments. My point is that only a small portion of the tax is paid by private motor owners and the major portion is paid by the transport services. As such the tolls can well be abolished. If that is to be done Government is not going to incur materially much loss. Now what is the position of the ryots? When the price of produce is diminishing day by day he has to pay tax in more ways than one. The tax payer has not only to pay the land tax but he has to incur cutltivation expenses, market tolls when he goes to sell his produce in the market and

tolls to the P. W. D. when he has to cross the tollgates. All these are heavy burdens. Therefore I would appeal to the Government to see that the tolls are abolished.

Mr. Kottoor Kunjukrishna Pillai: May I know how by taking away the tax from the motor owners the ryot is benefited?

Mr. K. R. Elankath: They are benefited in a way. The major portion of the people who are given the benifit are middle class people. In the case of motor owners they may be made to pay registration fees. Why should a toll-gate be maintained for the purpose of taxing these iron-wheeled carts, when the policy of the Government is to see that as far as possible the land tax is not increased, or if possible abolished? In that case and at a time when new sources of income are forthcoming, is it not proper that we pray for the abolition of such additional tax direct or indirect which ultimately goes to the ryots. Government should consider this question very seriously.

President : The honorable member has three minutes more.

Mr. K. R. Elankath: Sir, a word about commercial enterprises. My friend Mr. Kuruvilla was suggesting that the Government were thrusting one industrial enterprise after another on the people without getting adequate results or experience from any one of them. Sir, I do not find my way to agree with him. If Government see that such and such enterprises will be certainly advantageous to the State and will ensure additional income to Government, why should not they take up such enterprises and work them up? The only question to be considered is whether the State can afford to spend money for all these enterprises. I do not say, Sir, that there is anything to hinder such schemes of Government. But there is a legitimate fear prevailing among a section of the public even though it was caused by malicious intentions. Sir, we had to write off 2½ lakhs of rupees in 1112 for the State Aided Bank and in 1113 1½ lakhs in connection with the Thuckalali sugars. It is these things that make people apprehensive as to the ultimate success of these schemes. If the Government think that such institutions could not be improved they must close them down. Sir, I ask in all earnestness whether it would not have been better if efforts were put forth to re-organise the State Aided Bank and not to establish the Credit Bank. If that were done the necessity to write off big amounts would not have arisen.

President: The honorable member must know that the State Aided Bank is not a Government concern.

Mr. K R. Elankath: Sir, according to my opinion neither the Credit Bank is a Government concern. It is a concern of the public shareholders. Therefore my suggestion is if that could have been done, Government could have saved the Bank and had the credit of having rescued the Bank which has the support and patronage of Government. But in unavoidable circumstances the other course might have been chosen. The Government established the Credit Bank not after serious consideration and after convincing themselves of the facts, and the contingency of re-establishing that bank.

President: The honorable member may conclude his remarks. He has got one minute more.

Mr. K. R. Elankath: Sir, with these remarks I resume my seat.

Mr. S. Kamesam, Director of Development, took his oath and signed the Rolls.

Mr. Nedumangad R. Kesavan Nair: Sir, in spite of the very solemn assurance that has been given by one honorable member that the current year's budget is a ,,Development Budget" and in spite of a note of warning given to the honorable members of the House that they should not criticise the increased expenditures of Government, I feel it my duty to say that the budget of the coming year has not been very satisfactory. Nor do I find my way to congratulate the Financial Secretary on the clarity of his speech or on the re-arrangement of the various items of the budget. The figures that have been supplied to us by the Financial Secretary divulge certain facts which obviously he has lost sight of. A perusal of the budget for the year 1112 would show that we anticipated an increase by way of land revenue to the extent of Rs. 2·46 lakhs. Not only were we able to collect that amount but we were also able to collect an excess amount of 2·06 lakhs. Thereby our increased collection of land revenue amounted to 4·52 lakhs in 1112. Sir, this bespeaks not the capacity of the people to pay tax but the enormous extent of coercive steps taken against the people by the department. The Land Revenue Commissioner has freely conceded in his Administration Report for 1112 that coercive steps by auction sales are on the increase and as a result of that 85 per cent. of the land revenue has been collected. Sir, we also find that side by side with this, that in 1112 there has been an increase in collections under the item of land revenue Rs. 40 lakhs and of expenses under interest to the extent of 1·26 lakhs. We are not in a position to see on what deposits these interests accrue and what is being done with the deposits. So much for 1112.

Coming to the figures for 1113 we find that there is an increase of expenditure to the extent of Rs. 3·18 lakhs over and above the anticipated expenditure, whereas there is no corresponding increase in the income. The result is that the revenue balance expected in 1113 was reduced to the nominal sum of a lakh. I would invite the attention of the Financial Secretary to the two statements made by his predecessors in 1111 and 1112 to see how far he has conformed to that. A reference to paragraph 44 of the speech of 1112 and paragraph 61 of the speech of 1113 would show that the need of curtailing expense is imperative. An increase of expenditure to the extent of 3·18 lakhs in 1113 is seen with no corresponding increase in income. Let us see how far this increase in expenditure is justifiable? Under the item of interest again in 1113, there is an increase of Rs. 73,000. One outstanding fact of the budget for 1113 is that under the miscellaneous and political item there appears to be an enormous increase of expenditure to the extent of 1·41 lakhs over and above the anticipated expenditure of Rs. 2,04,303. The explanation given by the Financial Secretary is not satisfactory.

President: The honorable member is not entitled to speak on that subject under Section 28 (4) of the Regulation. The Section is as follows:

> "The proposals of our Government for the appropriation of revenue or monies relating to the following heads of expenditure shall not be submitted to the vote of the Assembly or the Council, nor, unless our Dewan otherwise directs, shall they be open to discussion by either Chamber at the time when the budget is under consideration."

Here the relevant heads of expenditure is under (g)—"Maramat and Political."

Mr. Nedumangad R. Kesavan Nair: Sir, am I entitled to speak on the miscellaneous?

President: Certainly.

Mr. Nedumangad R. Kesavan Nair: Sir, I find that a provision of Rs. 3,45,200 has been made in the budget of 1113 for Miscellaneous and Political but the amount has been increased to an alarming extent so far as the provision for 1114 is concerned. A huge sum of Rs. 4,77,455 is provided for this purpose.

President: I suppose the honourable member is aware that there is the Pallikettu ceremony to be celebrated.

Mr. Nedumangad R. Kesavan Nair: Yes, Sir, I am aware of the marriage and also of His Excellency the Viceroy's visit,

[Mr. Nedumangad R. Kesavan Nair.]

but there are often items that require explanation. Sir, the Financial Secretary has not given adequate explanations for the the items of expenditure which have been provided in the budget.

Sir, I now leave the expenditure and income of 1113 and come to 1114. During 1114 the Financial Secretary makes provision for an expenditure of Rs. 259·9 lakhs, the highest on record. In justification of that he anticipates an income of Rs. 261·41 lakhs. That also is the highest on record. I think, Sir, that there is no use in criticising the Financial Secretary for the additional expenditure. It is up to the Financial Secretary to anticipate anything he likes so far as the incomes are concerned. It is up to us to see whether the Financial Secretary's anticipations are justified. Let us see how he anticipates to get Rs. 261 lakhs as income. His anticipations for 1114 are based on the following items: Income Tax, Excise, Customs, activities of the Development Director, Transport and Ceramic Factory.

Now let us take up one by one all these revenue yielding departments. So far as the Income Tax is concerned we find, as a result of the Income Tax Expert's activities and of the Special Deputy Commissioner, they have been able to collect an amount of Rs 8 lakhs, That is, 2 lakhs over and above what was obtained in the previous year.

Under the Excise item the Financial Secretary anticipates an increase of expenditure of Rs. 1·76 lakhs. The explanation of the Financial Secretary is that for the purpose of effective control of smuggling a special staff was appointed. Sir, this staff was in existence even in 1113. Nevertheless in 1114 the income is expected to be 2½ lakhs less. I am at a loss to understand what additional reason the Financial Secretary has to show that he could get Rs. 1·76 lakhs under Excise.

Under Customs the Financial Secretary anticipates an increased income of Rs 5·53 lakhs. There also our past experience shows that he is not justified in this expectation. In 1113 under customs from the Cochin Harbour we expected Rs. 12,40,000 but we were able to get only Rs. 3·14 lakhs less, *i. e.* Rs. 9·26 lakhs.

Our experience from the Cochin Harbour also turns out to be disappointing, so that there is no justification for the Financial Secretary anticipating an increased income under Customs, Excise and Income Tax. There are three items about which we cannot say anything from the figures which are available. Nor are there data for the same. I was just asking my friend Mr. James Fletcher whether we are able to collect anything as a result of the working of the Ceramic Factory. Mr. Kamesam's venture in the

Ascue treatment remains to be seen. These are items about the income of which we cannot be too sure. Then again under the Commercial Transport: here we are anticipating an increased income to the extent of Rs 2·10 lakhs. The income anticipated from these, namely, the activities of the Director of Development, the Commercial Transport and the Ceramic Factory remains to be seen. These are items on which you could not depend. Regarding the items for which an anticipation..................

Mr. S. Kamesam: Sir, I rise to a point of order. As regards the increased income with regard to the Development Department, the increase that the budget refers to has already been explained.

President: Order, order. It is not a point of order.

Mr. Nedumangad R. Kesavan Nair: Now, a word about the Government balances, since I have to resist the temptation even though some members were telling me that I should not say anything about it. The Government balance in 1104 was Rs 170·13 lakhs. The House will be aware that in 1112 the decrease in Government balance has been phenomenal. It has been alarming in 1112. It has amounted to 73 lakhs. Again, in 1113 it has dwindled down to Rs. 45 lakhs. In 1114, according to the Financial Secretary's statement, the Government balance is going to be Rs 16 lakhs. I distinctly remember the Financial Secretary's speech in 1111. There it is stated that the minimum balance that is required for the Government is Rs. 46·8 lakhs.

Mr. K. George: Is that Government balance or cash balance?

Mr. Nedumangad R. Kesavan Nair: It might be Government balance or other balances added together. I do not want to discuss it further because there is no time.

President: The Honourable Member has two minutes more.

Mr. Nedumangad R. Kesavan Nair: The Financial Secretary's statement of 1113 shows that the Government balance required is Rs 49 lakhs. Now what has the Financial Secretary to say about the balance of 16 lakhs. The Financial Secretary might say that we would be drawing from our surplus investments an amount of Rs. 25·44 lakhs. Our liquid assets are practically on the decline whereas our liabilities are great and frightening. ask what is the surplus investment that is left to our disposal? It has dwindled to Rs. 150 lakhs. Sir, now consider our liabilities which are to the extent of Rs. 321·72 lakhs,.........

Mr. Padiyara Joseph Kunju. (*Nominated*) : സർ, വളരെ തുച്ഛമായ ഒരു തുകയാണ്—ഒരു ലക്ഷത്തിൽപരം രൂപയാണ്—ഫിനാൻഷ്യൽ സെക്രട്ടറി ൧൧൧൪-ൽ മിച്ചമായി പ്രതീക്ഷിക്കുന്നതു്. ഒരു മിച്ച ബഡ്ജററ് എപ്പോഴും സ്തുത്യർഹമാണെന്നോ ഒരു നഷ്ട ബഡ്ജററ് എപ്പോഴും ആക്ഷേപാർഹമാണെന്നോ ഉള്ള അഭിപ്രായക്കാരനല്ല ഞാൻ. എന്നാൽ ഒരു വ്യാഴവട്ടക്കാലത്തിനു മുമ്പു ൨ കോടിയിൽപരം രൂപാ കെട്ടിയിരിപ്പുണ്ടായിരുന്നതു് ഇപ്പോൾ ൪൩ ലക്ഷമായി കുറഞ്ഞു എന്നുള്ള വസ്തുത പരിതാപകരം തന്നെയാണ്. ഒരു ലുബ്ധനായ ധനാഢ്യന്റെ മട്ടിൽ ആവശ്യത്തിനുപോലും ചെലവുചെയ്യാതെ കിട്ടുന്നതെല്ലാം കരുതൽ ധനമായി ഭൂതം കാക്കുന്ന നിധിപോലെ വച്ചുകൊണ്ടിരിക്കണമെന്നു ഞാൻ പറയുന്നില്ല. എന്നാൽ അപ്രതീക്ഷിതമായി, ആകസ്മികമായി, അവിചാരിതമായി, ഉണ്ടാകുന്ന അവശ്യം ആവശ്യമായ ചെലവുകൾക്കുവേണ്ടി ഒരു കരുതൽ ധനം ഗവൺമെന്റ് എപ്പോഴും വച്ചുകൊണ്ടിരിക്കേണ്ടതാവശ്യം തന്നെയാണ്. പൊതുജനോപകാരപ്രദങ്ങളും രാജ്യാഭിവൃദ്ധിക്കുപയുക്തങ്ങളും, പ്രത്യുൽപ്പാദനകരങ്ങളുമായ സംഗതികൾക്കു അധികം ധനം വ്യയം ചെയ്യുന്നതു് കൊണ്ടാണ് ഈ കെട്ടിയിരിപ്പിൽ കുറവു വന്നതെന്നുള്ള വസ്തുത ഞാൻ ഇവിടെ വിസ്മരിക്കുന്നില്ല. ഇങ്ങനെ ചെയ്യുന്നതിന്റെ സൽഫലം അനതിവിദൂരഭാവിയിൽ തന്നെ തിരുവിതാംകൂർ ജനതതിക്കനുഭവിക്കാനിടയാകുമെന്നും തന്മൂലം ഗവൺമെന്റിന്റെ വരവ് ദ്വിഗുണീഭവിക്കുമെന്നും രാജ്യത്തിന്റെ പൊതുവെയുള്ള സാമ്പത്തികനില ഉന്നമിക്കുമെന്നുമുള്ളതു് നിസ്തർക്കമാണ്. സാധുക്കളായ കർഷകവൃന്ദത്തിന്റെ രക്തം ഊററി എടുക്കാതെ—കൂടുതൽ നികുതിഭാരം ചുമത്താതെ—ഗവൺമെന്റിന്റെ വരവു വർദ്ധിപ്പിക്കുന്നതിനുള്ള ശ്രമം സ്തുത്യർഹം തന്നെ, സംശയമില്ല.

ഈ രാജ്യത്തെ വ്യവസായീകരിക്കത്തക്കവണ്ണം പല വിധത്തിലുള്ള സംരംഭങ്ങൾ ഗവൺമെന്റ് ഒരുമിച്ച് ഏറെറടുക്കുന്നതിൽ എന്റെ മാന്യസ്നേഹിതൻ മി. കുരുവിള ആക്ഷേപം പ്രകടിപ്പിക്കയുണ്ടായി. ഒരു പുരുഷായുസ്സിൽ ഒരു പ്രസ്ഥാനം മാത്രമേ ഏറെറടുക്കാൻപാടുള്ളോ എന്ന് ഏററവും വിനീതനായി ഞാൻ അദ്ദേഹത്തിനോടു ചോദിച്ചുകൊള്ളുന്നു.

Mr. K. K. Kuruvilla. I never said that.

Mr. Padiyara Joseph Kunju : എന്റെ അഭിപ്രായം പൊതുജനോപകാരപ്രദങ്ങളും രാജ്യാഭിവൃദ്ധിക്കുപയുക്തങ്ങളുമായ പ്രസ്ഥാന

ങ്ങൾ, എത്രത്തോളം കൂടുതൽ ഗവൎമ്മെന്റിന് ഏറ്റെടുക്കാൻ കഴിയുമോ അത്രത്തോളം ഗവണ്മെന്റ് ഉടനടി ഏറ്റെടുക്കണമെന്നാണ്.

പള്ളിവാസൽ ഹൈഡ്രോ ഇലക്ട്രിക്‌പദ്ധതി അടുത്ത വർഷാരംഭത്തോടുകൂടി പൂർത്തിയാകുമെന്നറിയുന്നതു സന്തോഷകരം തന്നെയാണ്. ദോഷൈകദൃക്കുകൾ, കേവലം വിപ്ലവകാരികൾ, ആക്ഷേപകർത്താക്കൾ എന്നിവരുടെ നിശിതവും നിസ്സീമവും നിർദാക്ഷിണ്യവുമായ വിമർശനങ്ങൾക്കു വിഷയീഭവിച്ച ട്രാൻസ്‌പോർട്ടു പദ്ധതി പ്രതീക്ഷയെപ്പോലും അതിലംഘിച്ച് ലാഭകരവും വിജയകരവുമായി പരിണമിച്ചിട്ടുള്ളതു് ചാരിതാർത്ഥ്യജനകം തന്നെ. എന്റെ ബഹുമാന്യസ്നേഹിതൻ നെടുമങ്ങാട്ടു മി. ആർ. കേശവൻനായർ എന്തുതന്നെ പറഞ്ഞാലും മി. കാമേശത്തിന്റെ പ്രവർത്തനം രാജ്യത്തിന്റെ സാമ്പത്തികമായ നില ഉന്നമിപ്പിക്കുന്നതിനും ഗവണ്മെന്റിന്റെ വരവു വർദ്ധിപ്പിക്കുന്നതിനും പര്യാപ്തമാകണമെന്നു കാണുന്നതിൽ ഞാൻ അദ്ദേഹത്തെ അഭിനന്ദിക്കുകയത്രേ ചെയ്യുന്നതു്. നമ്മുടെ ഇപ്പോഴത്തെ വ്യവസായങ്ങളെ പ്രോത്സാഹിപ്പിക്കയും പരിപുഷ്ടിപ്പെടുത്തുകയും ചെയ്യുക, പുതിയ വ്യവസായങ്ങൾ നടപ്പിൽ വരുത്തുക, വാണിജ്യഉടമ്പടി, പെരിയാറണ സംബന്ധിച്ചുള്ള ഉടമ്പടി ഇവ പുതുക്കുക, ഇവിടെ പുകയിലകൃഷി നടപ്പാക്കുക മുതലായ സംഗതികളിൽ ഗവണ്മെന്റിന്റെ സത്വരശ്രദ്ധ പതിയുന്നുവെങ്കിൽ അതു നമ്മുടെ സാമ്പത്തികനിലയെ ഉന്നമിപ്പിക്കുന്നതിനും ഗവണ്മെന്റിന്റെ വരവു വർദ്ധിപ്പിക്കുന്നതിനും പ്രയോജകീഭവിക്കുന്നതാണ്.

സർ, പൊതുജനങ്ങൾക്ക് ഉപദ്രവകരമല്ലാത്ത വിധത്തിൽ വരവു വർദ്ധിപ്പിക്കുന്നതിനും രാജ്യാഭിവൃദ്ധിക്കു പര്യാപ്തങ്ങളായ സംഗതികൾക്കു ലോഭംകൂടാതെ ധനവ്യയം ചെയ്യുന്നതിനുമാണു ഒരു ഗവണ്മെന്റു എപ്പോഴും ശ്രദ്ധ പതിക്കേണ്ടതു്. ഗവണ്മെന്റിന്റെ വരവു സ്ഥിരമെന്നും അസ്ഥിരമെന്നും രണ്ടിനങ്ങളായി തരം തിരിച്ച് സ്ഥിരവരവുകൾകൊണ്ടു എപ്പോഴും സ്ഥിരച്ചെലവുകൾ വഹിക്കയാണു വേണ്ടതു. നിർഭാഗ്യവശാൽ തിരുവിതാംകൂറിലെ സ്ഥിതി ഇതല്ല. ഇവിടത്തെ ശമ്പളച്ചെലവു ഇവിടത്തെ വരവിന്റെ അർദ്ധാംശത്തോളം വരുന്നുണ്ട്. അതു് സ്ഥിരച്ചെലവുമാണ്. ഇവിടത്തെ സ്ഥിരവരവു ശമ്പളച്ചെലവിന്റെ അർദ്ധാംശത്തോളമേയുള്ളു. തിരുവിതാംകൂർ പബ്ലിക്‌സർവീസിലുള്ള ഉയർന്ന ഉദ്യോഗസ്ഥന്മാരുടെ എണ്ണവും, ശമ്പളവും തൃപ്തികരമായനിലയിൽ കുറവുചെയ്തു വ്യയനിയന്ത്രണം ചെയ്യണമെന്ന് ജനങ്ങൾ ദീർഘകാലമായി

[Mr. Padiyara Joseph Kunju.]

മുറവിളി കൂട്ടിക്കൊണ്ടിരുന്നിട്ടും ഗവണ്മെൻറ അതിനെപ്പററി അശേഷം ഗൗനിക്കുന്നില്ലെന്നുമാത്രമല്ല ഉയർന്ന ഗ്രേഡിലുള്ള ഉദ്യോഗസ്ഥന്മാരുടെ എണ്ണവും ശമ്പളവും ഗവണ്മെൻറ പ്രതിദിനമെന്നോണം വർദ്ധിപ്പിച്ചുകൊണ്ടാണിരിക്കുന്നത്. ഇങ്ങനെ ഈ ശമ്പളക്രമം വർദ്ധിപ്പിച്ചതു കൊണ്ടും തൃപ്തിയാകാഞ്ഞിട്ടോ എന്നു തോന്നുമാറ് ഇവരിൽ ചിലർക്കു ഒരു വക "പേഴ്സനൽ പേ" കൂടി കൊടുത്തുവരുന്നു. ഈ പേയെല്ലാം കൂടിയാണ് ഈ രാജ്യത്തെ നശിപ്പിക്കുന്നത്. ഇതാണ് തിരുവിതാംകൂറിൽ അസ്വസ്ഥതയുണ്ടാക്കുന്നതെന്നു ധൈര്യസമേതം ഞാൻ അറിയിച്ചുകൊള്ളുന്നു. ഇവിടത്തെ ഉദ്യോഗസ്ഥന്മാരുടെ എണ്ണവും ശമ്പളവും കാര്യക്ഷമതയ്ക്കു ഹാനികരമല്ലാത്തവിധത്തിൽ തൃപ്തികരമായവിധത്തിൽ കുറവു ചെയ്യുന്നകാലത്തല്ലാതെ തിരുവിതാംകൂറിൽ സമാധാനമുണ്ടാവുകയില്ല. ഇതാണ് അങ്ങു് പ്രധാനമായി ചെയ്യേണ്ടത്. ഇല്ലെങ്കിൽ അങ്ങേക്ക് ഇവിടെ സ്വൈരമായി കഴിച്ചുകൂട്ടാൻ സാധിക്കുകയില്ല എന്നു ഞാൻ ദീർഘദർശനം ചെയ്തുകൊള്ളുന്നു. ഇവിടത്തെ ഉദ്യോഗങ്ങളുടെ ആകർഷണീയതകൊണ്ടാണു ഇവിടത്തെ ജനങ്ങളെല്ലാം ഉദ്യോഗം തെണ്ടികളായി ഉദ്യോഗസ്ഥന്മാരുടെ വാതിൽ കാക്കുന്നത്. കൃഷിവാണിജ്യവ്യവസായാദികളിൽ പ്രവേശിച്ച് രാജ്യത്തിൻെറ സാമ്പത്തികനിലയെ പരിപുഷ്ടമാക്കേണ്ട ഇവിടത്തെ യുവജനങ്ങൾ ഉദ്യോഗം തെണ്ടികളായി നടക്കുന്നത് ഇവിടത്തെ പബ്ലിക്സർവീസിൻെറ ആകർഷണീയതകൊണ്ടാണ്. കൃഷിവ്യവസായവാണിജ്യാദികളെക്കാൾ ഗവണ്മെൻറ സർവീസ് കൂടുതൽ ആദായകരവും സുഖകരവുമായതുകൊണ്ട് ഓരോരുത്തരും അവരവർക്കു പബ്ലിക്കു സർവീസിൽ കയറിപ്പററുന്നതിനുള്ള ഓരോ വാദമുഖങ്ങളുമായി ഇറങ്ങിപുറപ്പെടുന്നു. പബ്ലിക് സർവീസിൽ പ്രാതിനിധ്യം കൂടുതലുള്ളവർ കാര്യക്ഷമതാവാദവും, ഉദ്യോഗം കിട്ടാത്തവർ ജനസംഖ്യാനുപാതികപ്രാതിനിധ്യവാദവും പുറപ്പെടുവിക്കുന്നു. ഈ രണ്ടുവാദമുഖങ്ങൾകൊണ്ടും രക്ഷനേടുന്നതിനു നിവൃത്തിയില്ലാത്തവർ ഇപ്പോൾ പ്രാദേശികപ്രാതിനിധ്യവാദംകൂടി പുറപ്പെടുവിച്ചുവരുന്നുണ്ട്. സർ, ഗവണ്മെൻറ സർവീസിൽ കയറുവാൻ വേണ്ടി മാത്രമാണു അവരുടെ സമുദായത്തിൻെറ നാമം അവർ പറയുന്നത്. അല്ലാതെ അവർക്കു സമുദായത്തെപ്പററി യാതൊരു ചിന്തയുമില്ല. സമുദായപ്രാതിനിധ്യം അനുവദിപ്പിച്ചുതരാം എന്നും, കണ്ണല്ലാത്തതെല്ലാം പൊന്നാക്കിത്തരാമെന്നും പറഞ്ഞു് സ്വസമുദായങ്ങളുടെ വോട്ടു തെണ്ടി കമ്യൂണൽ ടിക്കററിന്മേൽ ഇവിടെ വന്നവർ ഇപ്പോൾ ഇതാ ദേശീയവാദികളായി തൊപ്പിക്കാരായിപരിണമിച്ചിരിക്കുന്നു.

Mr. R. V. Thomas: Sir, I raise a point of order. Is the word "തെണ്ടി" a parliamentary usage?

President: What is the expression?

Mr. R. V. Thomas: "തെണ്ടി"

Mr. Puthupalli S. Krishna pillai: It is "വോട്ടുതെണ്ടി," that is, begging for votes.

President: It is quite parliamentary.

Mr. R. V. Thomas: Sir, the implication in Malayalam is very bad.

President: The honourable member will remember that he ought to speak in such a manner that he will not offend the susceptibility of other honourable members.

Mr. Padiyara Joseph Kunju: സർ, ഇവിടത്തെ പബ്ലിക്ക സർവീസിന്റെ ആകർഷണീയത കുറച്ചാൽ മാത്രമെ രാജ്യത്തു സ്വസ്ഥതയുണ്ടാവുകയുള്ളൂ. ഏതെങ്കിലും ഒരു ദിവാൻജി ഇവിടെ വരികയാണെങ്കിൽ ഉടനെതന്നെ ഉദ്യോഗാർത്ഥികളെല്ലാംകൂടി മംഗളപത്രങ്ങളും സ്വാഗതപ്രസംഗങ്ങളുമായി അദ്ദേഹത്തിന്റെ പുറകെ ഓടി കൂടും. ഈ അനുഭവം ഇന്നത്തെ ദിവാൻജിക്കുമുണ്ടായിട്ടുള്ളതാണ്. കുറെ കഴിയുമ്പോൾ—ഉദ്യോഗം കിട്ടുന്നില്ലെന്നു കാണുമ്പോൾ—ഇവർ അസംതൃപ്തരായിത്തീരുന്നു. ഇവിടത്തെ ഉദ്യോഗങ്ങളുടെ സംഖ്യ പരിമിതവും ഉദ്യോഗാർത്ഥികളുടെ സംഖ്യ അപരിമിതവും ആകയാൽ എല്ലാവരേയും തൃപ്തരാക്കുവാൻ ഒരു ദിവാൻജിക്കും സാധിക്കുന്നതല്ല. അപ്പോൾ അസംതൃപ്ത കക്ഷികളെല്ലാം ചേർന്നു രാജ്യത്ത് അസ്വസ്ഥതയുണ്ടാക്കാൻ ഇറങ്ങി പുറപ്പെടും. എന്തെങ്കിലും ആദർശങ്ങളെ മുൻനിറുത്തിക്കൊണ്ട്—ഉത്തരവാദിത്വഭരണമെന്നോ, ക്ഷേത്രപ്രവേശനമെന്നോ ഉള്ള ഏതെങ്കിലും ആദർശങ്ങളെ മുൻനിറുത്തിക്കൊണ്ട്-രാജ്യത്തു അസ്വസ്ഥതയുണ്ടാക്കുന്നതിനായി അവർ ഇറങ്ങിപ്പുറപ്പെടും. അവർക്കു രാജ്യം നന്നാകണമെന്നില്ല; സമുദായം നന്നാകണമെന്നില്ല; അവർ മാത്രം നന്നാകണമെന്നേയുള്ളൂ. ഇവിടെ ഒരു ആഭ്യന്തരകലഹം—ഒരു സിവിൽ വാർതന്നെ—ഉണ്ടാകുമെന്നു പറഞ്ഞ് ഈയിടെ ചിലർ ഭീഷണിപ്പെടുത്തുന്നു. "ആഭ്യന്തരകലഹം" എന്നുവച്ചാൽ എന്താണെന്നു അവർ മനസ്സിലാക്കിയിട്ടുണ്ടോ എന്ന് എനിക്കു സംശയമാണ്. എനിക്കു ഈ ആളുകളുടെ ശക്തി അറിയാം; അവരുടെ യോഗ്യത അറിയാം; നിലയറിയാം; വിലയറിയാം; സ്വാധീനശക്തിയറിയാം. ഞാൻ തിരുവിതാംകൂർ ഗവണ്മെന്റിനോടു പരമാർത്ഥമായി ആവശ്യപ്പെടുന്നതു ആഭ്യന്തരകലഹമുണ്ടാക്കാൻ അവർ തയ്യാറാണെങ്കിൽ അവരെ അതിലേക്കു ഇറക്കിവിടണമെന്നാണ്.

Mr. R. V. Thomas : Sir, I wish to know from the honourable member, who wants to launch out a civil war ?

President : Probably the honourable member is referring to a statement made elsewhere to the effect that it is high time to make a civil war.

Mr. K. M. Korah : Was not that statement withdrawn?

President : No, it was not. I took very great care to see that. That honourable member wanted to cut short the statement. But, from the shorthand notes it is observed that he had not withdrawn it.

Mr. Kottur Kunjukrishna Pillai : തിരുവിതാംകൂറിൽ ഒരു സിവിൽ വാറുണ്ടാകുമെന്ന് ഈയിടെ ഒരു മിസ്റ്റർ രാമചന്ദ്രൻ പ്രസ്താവിച്ചതായി മെമ്പറിന് അറിയാമൊ?

Mr. T. Mahomed Ismail *(Nominated)* : Was any action taken against him ?

President : Under the privileges of the House, honourable member is entitled to make statements ; he has made the statement and there it is.

Mr. R. V. Thomas : May I know whether that statement was not corrected by the member who made it ?

President : No, it is still there, in the proceedings.

Mr. M. Govindan *(Nominated)* : May I know whether it is permissible to criticise statements made in the other House ?

President : Statements made anywhere may be referred to.

Mr. Nedumangad R. Kesavan Nair Was not Mr. Joseph Kunju criticising that statement ?

President : Proceedings in other Houses cannot be criticised ; but if any member has said something seditious elsewhere, certainly it can be referred to as a statement made by a responsible public man.

Mr. Kottur Kunjukrishna Pillai : May I ask whether Mr. G. Ramachandran, in a recent meeting held at Trivandrum under the auspices of the Kerala Young Men's League, did not refer to what he called 'coming civil war' ?

Mr. Padiyara Joseph Kunju : എന്റെ മാന്യസ്നേഹിതനായ മി: കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള ഇദ്ദേഹം പ്രസ്താവിച്ചതിനെപ്പറ്റിയാണ് ഞാൻ ഇവിടെ പറഞ്ഞതു്. അല്ലാതെ അന്യത്ര നടന്ന പ്രസ്താവനയെക്കുറിച്ചല്ലാ ഞാൻ ഇവിടെ പ്രസ്താവിച്ചതു.

സർ, അക്രമപരമായി എന്തെങ്കിലും ഒരു പ്രവൃത്തി ചെയ്തശേഷം അല്ലെങ്കിൽ വിപ്ലവപരമായ എന്തെങ്കിലും ഒരു പ്രസ്താവനചെയ്തശേഷം അതിനെപ്പറ്റി പിന്നീടു വല്ലതുമൊക്കെ എഴുതിയെന്നു....

Mr. N. V. Chacko: May I point out that Mr. G. Ramachandran has published an explanation that he could not have and did not make use of the expression 'civil war' in the sense in which it seems to be understood by some people in the country ?

President: All that can be said is that the attention of the Government has not been formally drawn to any such statement or explanation, so that if honourable members say that any such statement was made or that any explanation has been furnished, they do it on their own responsibility.

Does Mr. Kunju hold himself responsible for the statement that he makes?

Mr. Padiyara Joseph Kunju: Yes, Sir.

President: The question that was put to the honourable member was whether he was aware that Mr. G. Ramachandran denied having made that statement.

Mr. Padiyara Joseph Kunju: I do not know, Sir.

President: If honourable members refer to speeches made by others, they have to take the responsibility of having satisfied themselves that such speeches were actually made. Bearing that in view, the honourable member may proceed.

Mr. Padiyara Joseph Kunju: Yes, Sir, I take up the responsibility.

Mr. T. Mahomed Ismail: Is it not proper that the Government should take necessary action in such matters?

President: The question of taking action against such speakers will be considered at the proper time and place; Government must get the authentic version of the speech to see what exactly is the statement that was made. I shall read from the actual shorthand report of that speech.

> 'I visualise that if Government do not retrace their steps we will let loose a non violent civil war in Travancore within the course of two months."

It has been pointed out that this statement has been withdrawn. The whole matter will have to be enquired into before deciding what action, if any, should be taken.

Mr. Padiyara Joseph Kunju: സർ, ഏററവും കാര്യമായി ഞാൻ പറയുന്നതു ആഭ്യന്തരകലഹം ഉണ്ടാക്കുമെന്നു പറയുന്നവരെ അതിനനുവദിക്കണമെന്നാണു്. അവർ അതോടുകൂടി നശിച്ചുകൊള്ളും; അതിൻെറ ഫലം അവർ അറിയുകയും ചെയ്യും. കുറെ വിദ്യാർത്ഥികളെയും മേൽവിലാസംപോലുമില്ലാത്ത ചില ചട്ടമ്പിമാരെയും ചീപ്പ്പാപ്പുലാറിട്ടിക്കുവേണ്ടി നടക്കുന്ന മററു ചിലരെയും കൂട്ടുപിടിച്ചുകൊണ്ടു് ഏതൊരു പ്രസ്ഥാനത്തെയും നയിക്കുന്നതിനു ആർക്കും സാധിക്കുന്നതാണു്.

[Mr. Padiyara Joseph Kunju]

സർ, ഞാൻ പറയുന്നതു ക്ഷമിക്കണം; ഗവൺമെൻറിൻെറ ഇന്നത്തെ ആവണക്കെണ്ണനയമാണിതിനുകാരണം. ഗവൺമെൻറു ശക്തിയുള്ള ഒരു നയമെടുക്കേണ്ട കാലം അതിക്രമിച്ചിരിക്കുന്നു. ഒരു പ്രസ്ഥാനം ശരിയാണോ തെററാണോ എന്നന്വേഷിച്ചറിഞ്ഞു് ശരിയാണെങ്കിൽ അതിനെ പ്രോൽസാഹിപ്പിക്കയും, തെററാണെങ്കിൽ അതിനെ അടിച്ചമത്തുകയും ചെയ്യേണ്ടതു് ഒരു ഗവൺമെൻറിൻെറ ചുമതലയാണു്. തിരുവിതാംകൂർ ഗവൺമെൻറു ഒരു പ്രസ്ഥാനം തെററാണെന്നു പ്രഖ്യാപനംചെയ്യുകയും അപ്പോൾതന്നെ ആ പ്രസ്ഥാനകർത്താക്കളെ കൈമാടിവിളിക്കുകയും, ചിലപ്പോൾ അവരുമായി രാജിയാലോചനകൾ നടത്തുകയും ചെയ്യുന്നതു് ഇങ്ങനെയുള്ള പ്രസ്ഥാനങ്ങൾ വളത്തുന്നതിനും അതിൻെറ കർത്താക്കൾക്കും അനുയായികൾക്കും പ്രോൽസാഹനം നൽകുന്നതിനും അതിൻെറ ശത്രുക്കൾക്കു നിരാശനൽകുന്നതിനും മാത്രമേ പ്രയോജകീഭവിക്കുകയുള്ളു.

Mr. M. Govindan : May I know whether the characterisation of Government policy as 'castor oil policy' is parliamentary? (*Laughter*)

President : As a matter of fact, although it was not exactly a question of castor oil, a very well known speech of Mr. Gladstone, describing Mr. Disraeli as an 'oily politician' was debated upon and was declared to be parliamentary. (*Laughter*)

Mr. R V. Thomas : Does the honourable member suggest that the present Government in Travancore is weak :

Mr. Padiyara Joseph Kunju : സർ, തിരുവിതാംകൂർ ഗവൺമെൻറു ബലഹീനമാണെന്നു ഞാൻ പറയുന്നില്ല. ശക്തിയുള്ള ഗവൺമെൻറുതന്നെയാണു്. പക്ഷെ ദയവുകുറെ കൂടിപ്പോയി എന്നാണു ഞാൻ പറയുന്നതു്. കാരുണ്യക്കൂടുതൽ ഭീരുത്വമാണെന്നു കാര്യവിവരമില്ലാത്തവർ തെററിദ്ധരിക്കും.

Mr. N. V. Chacko : Is it the honourable member's suggestion that the lathi should be replaced by guns?

Mr. Padiyara Joseph Kunju : അതിനെക്കാൾ ശക്തമായ എന്തെങ്കിലും പ്രയോഗിക്കണം. അല്ലാതെ അടിക്കയും വെടിവെയ്ക്കുകയും ചെയ്കയല്ലാ വേണ്ടതു.

Mr. Nedumangad R. Kesavan Nair: ഗവൺമെൻറു അടിച്ചമത്തണമെന്നു മെംബർ പറഞ്ഞല്ലോ. ഇപ്പോൾ അങ്ങിനെ ചെയ്യുന്നില്ലേ?

Mr. Padiyara Joseph Kunju: അടിച്ചമത്തണമെന്നു ഞാൻ പറഞ്ഞതിന്റെ അത്ഥം ലാത്തികൊണ്ടടിക്കണമെന്നല്ല. അതൊരു ഭാഷാശൈലിയാണ്. എന്റെ സ്നേഹിതൻ അതു മനസ്സിലാക്കാത്തതിൽ ഞാൻ സഹതപിക്കുന്നു.

രണ്ടോ മൂന്നോ ചക്രം ചെലവുചെയ്താൽ ഒരു തൊപ്പിവാങ്ങിച്ചു ആക്കും ധരിക്കാം.

Mr. K. M. Korah: Is it parliamentary to refer to the dress of another party?

Persident: That, by itself, is not unparliamentary; but, if a particular uniform is derided or spoken ill of, that is unparliamentary.

Mr. Padiyara Joseph Kunju: സർ, യാതൊരു പാർട്ടിയുടേയും ഡ്രസ്സിനെ ഉദ്ദേശിച്ചല്ലാ ഞാൻ അതു പറഞ്ഞതെന്നു മി: കോരയുടെ അറിവിനായി പ്രസ്താവിച്ചുകൊള്ളട്ടെ. എന്നാൽ ഭാഗ്യവശാലൊ, നിർഭാഗ്യവശാലൊ സ്റ്റേറ്റുകാൺഗ്രസ അംഗങ്ങൾക്കു തൊപ്പിയുണ്ടു."

Mr. R. V. Thomas: May I know to whom the honourable member refers when he says '*Thoppikkar*'?

Mr. Padiyara Joseph Kunju: Now I mean the State Congress party.

Mr. Nedumangad R. Kesavan Nair: Is the member aware that there are other honourable members wearing turbans?

Mr. Padiyara Joseph Kunju: 'ടർബൺ' എന്നാൽ തലപ്പാവു എന്നാണത്ഥം. തൊപ്പിക്കാരെപ്പററിയാണു ഞാൻ പറയുന്നതു.

Mr. R. V. Thomas: May I know from the member..........

Mr. Padiyara Joseph Kunju: ഇങ്ങനെ ചോദ്യംചോദിച്ചു സമയം കളയുകയാണെങ്കിൽ എനിക്കു പറയാനുള്ളതു പറയാൻ സമയം കിട്ടുകയില്ല.

Mr. R. V. Thomas: Does the member refer to the party outside the House or inside the House?

Mr. Padiyara Joseph Kunju: നിയമസഭയുടെ അകത്തായാലും ശരി, പുറത്തായാലും ശരി തൊപ്പിക്കാരെപ്പററിയാണു ഞാൻ പറയുന്നതു്.

Mr. R. V. Thomas: May I know whether the expression '*Thoppikkar*' is parliamentary?

President: As I find that a number of questions have been raised on this matter, I should think it is better I make the position clear so far as the parliamentary limits of debate are concerned.

[President]

It is not here alone but in many parts of this country and in many countries in the world that particular uniforms have characterised specific political parties. We are all aware of blue-shirts, red-shirts, brown-shirts and black-shirts. They constantly refer to each other like that. In the early days of the communist party when they were not considered to be quite within the pale of parliamentary propriety, they used to distinguish themselves by wearing red ties. Then, on a particular occasion, one of them was referred to in the House at 'that gentleman with a red tie', and the question was raised whether that was parliamentary. The Speaker ruled that that was permissible where a party uses a distinctive item of dress as significant of that party. But that ruling has no reference to the other rule of parliamentary propriety that it is not open to one honourable member to refer to the particular costume or item of attaire in such a manner as to make fun of it or to deride it. That is the rule of parliamentary decorum in this matter.

Mr. N. V. Chacko : May I know from the member whether when he uses the word '*Thoppikkars*', he includes Muslims also?

Mr. Padiyara Joseph Kunju : ഇനിമേൽ ഞാൻ പറയുന്ന ഈ സ്റ്റേറ്റുകാൺഗ്രസ് പാർട്ടി അംഗങ്ങളെ ഉദ്ദേശിച്ചാണെന്നു ഞാൻ നേരത്തെ വിശദമാക്കിക്കഴിഞ്ഞു.

Mr. K. K. Kuruvilla : Do I come in there ; I have no cap?

Mr. Padiyara Joseph Kunju : അദ്ദേഹം ഇപ്പോഴും തൊപ്പി ഇടാത്തതുകൊണ്ടു ഞാൻ പറയുന്നതു അദ്ദേഹത്തെ അല്പാലം ബാധിക്കണമെന്നില്ല.

Mr. K. M. Korah : Is not Mr. Kuruvilla a member of the State Congress party ?

Mr. Padiyara Joseph Kunju : I do not know.

Mr. K. K. Kuruvilla : I am a member of the State Congress party.

President : I have already given my ruling on the question If Mr. Kunju has made what may be called a sarcastic or derisive reference with regard to the costume of any other honourable member, he is out of order and will be called to order. But the question whether one member has got his cap, or has taken it off, or has left it on his way to this hall, these are questions which, however interesting they may be to the wearer of the cap, are not of any interest to this House.

Mr. Padiyara Joseph Kunju : ഈ തൊപ്പി ഒഴിച്ചു മഹാത്മാഗാന്ധിയോടൊ ഇൻഡ്യൻനാഷണൽ കാൺഗ്രസിനോടൊ ഇവക്കു എന്തു ബന്ധമാണുള്ളതെന്നു ഞാൻ ഇവരോടു ചോദിക്കുന്നു. അവിടെ കാണുന്നതു എന്താണ്? ശരിയായാ

ലും തെററായാലും അവക്ക് ഒരാദർശമുണ്ട്, പ്രമാണമുണ്ട്, ഒരു തത്വമുണ്ട്. എന്നാൽ ഇവിടെയുള്ളവരൊ? സ്വാർത്ഥതയുള്ളവർ, ഒരു പ്രമാണവുമില്ലാത്തവർ, പൌരുഷത്തിന്റെ കണികപോലും തീണ്ടിയിട്ടില്ലാത്തവർ, ഒരു തത്വവുമില്ലാത്തവർ—ഇങ്ങനെയുള്ളവരെയാണ് നാം ഇവിടെ കാണുന്നത്.

President: Your time is up.

Mr. T. Mahomed Ismail: Sir, I rise to offer a dispassionate criticism of the financial position of the State as seen from the budget presented to us, not to congratulate the Financial Secretary for the budget nor to condemn him.

On a careful analysis of the budget, although it shows a surplus-the people do not care whether it is a surplus or a deficit budget; they want adequate and proportionate return for their hard-earned money which is squeezed out of them—, the people are not satisfied with the provision made in the budget for their real necessities. They are not satisfied that the revenues are being spent for the maximum good of the greatest number of the people. Viewed from that standard, the expenditure side of the budget clearly shows that very little concern is shown for the interests of the masses as a whole. It is a truism to say that the bulk of our revenue is derived from land tax; and that comes from the agriculturists who form the backbone of the State.

Mr. Kottoor Kunjukrishna Pillai: What is the proportion that our land revenue bears to our total revenues?

Mr. T. Mahomed Ismail: The honourable member may refer to the budget.

Mr. Kottoor Kunjukrishna Pillai: May I know what the member understands from 'bulk of revenue'?

Mr. T. Mahomed Ismail: It is open to the honourable member to understand it in the way it is capable of being understood.

President: Honourable members will remember that the debate by the non-officials shall automatically terminate by 4·30 so that the official members will have about half-an-hour for their replies. Therefore less of such mutual interruptions will mean that more of them will be able to say what they have got to say.

Mr. T. Mahomed Ismail: The condition of agriculture at present is rather appalling. Sir, it is not the agriculturist that gets electric lights and fans, water supply, drainage and other amenities of a luxurious life. They do not hear the music of the radio. Instead, what they get is demand notices for arrears of tax. They are pursued with warrants of arrest for agricultural debts. We hear of

[Mr. T. Mahomed Ismail.]

the police troubling the people and there is an all round clamour from the people for Government help and support from official high handedness. By God, let us remember that Travancore lives in her villages and so it is for the sake of the villages that the money contributed by them has to be spent. Nor is the condition of the people in towns of Travancore much better. Who has not seen the pitiable sight of beggars and dogs fighting furiously for the stray leaves thrown out from hotels? Sir, if we consider these factors, it is no wonder that the people feel that money is collected from them to spend for the satisfaction of the rich and the officials, and that a major portion of the revenue is spent for satisfying their whims and fancies. There is no attempt on the part of Government to look after the needs of the people, and more than all, there is no money for them. I ask the question, why there is no money to spend for the nation-building activities of Government, to ameliorate the condition of the people. The answer is very simple. It is because nearly half the income of our country is spent for the salaries of the officers. Times out of number both the Houses of Legislature have clamoured for the reduction of the high-paid salaries of officers. What was the result? Nothing was done in satisfaction of that clamour. Again, there are superfluous officers in every department. Many departments can be abolished and some can be amalgamated. I wish to make the point more clear by a reference to one or two departments. Our State, which is not bigger than a district of the Madras Presidency, is divided into four revenue divisions, three under three Division Peishkars and the fourth under a Commissioner. The Devicolam Division which consists of only two hilly taluks constitutes a separate Division. It was first constituted just to satisfy the desires of the European planters, but now there is no necessity for such a separate division and the money spent for the upkeep of this separate division is spent uselessly. But if this division is abolished and the two taluks are amalgamated with the Kottayam Division, we will save a good amount.

In this connection I would ask the Government to consider seriously whether they can run the administrative machinery without some departments such as the Office of the Game Warden and all the paraphernalia of the State Guests Department. Let me also inform this House about the desirability of reducing the number of officers in many of the department. Take for instance the Police Department. We have got a Commissioner, 5 D. S. P's and 6 A. S. P's. On many occasions this legislative House has passed resolutions requesting Government to reduce the number of officers and supervising authorities. Take the traffic branch of the Police Department. We have got 6 or 7 Traffic Inspectors. With the inauguration of the State Road Transport we naturally expected that

a reduction will be made in this branch because the State Transport Department is not subject to the control of the Motor Vehicles Regulation or the control of the Traffic Police.

Mr. M. Govinda Pillai: May I point out to the Honourable Member that they are subject to the provisions of the Motor Vehicles Regulation and the control of the Traffic Police?

Mr. T. Mahomed Ismail: But, Sir, the fact remains that they do not take any action against the irregularities of the Transport Department and what we understand is that there is no use of these traffic officers so far as the lines which are under the State Transport Department are concerned. Reduction of staff will make it possible to reduce a considerable amount of expenditure in this line. I can quote instances in regard to other departments also. In the Electrical Department there are several Executive Engineers, Assistant Engineers and Supervisors. In each of these departments it is possible to reduce considerably the amount that is spent by reducing the number of officers.

In this connection I also wish to bring to the notice of Government one important fact that no office should be created for the sake of individuals. This practice, if there is any and I know there is, could not but be severely condemned.

Thus, by the abolition of unnecessary departments, by the amalgamation of some, by reducing superfluous offices and by reducing the salaries of the high-paid officers, it is possible for Government to find out sufficient money to utilize for the good of the people, to attend to nation-building activites so as to have contentment and peace in the country side. Not only that. If it is possible to reduce this high expenditure, it will be possible for Government to increase the salaries of low paid officials also. We hear much of corruption everywhere, especially in the case of the low paid officials, simply because they find it impossible to get on with the small salary that they get. Sir, it is impossible for our country to pay any officer more than Rs. 500 a month and no officer should be given less than Rs. 50.

Coming now to the recent commercial ventures of the Government, it is really a relief for me to turn to that side of the budget. It is a matter of genuine satisfaction that the commercial undertakings of Government, such as the Pallivasal Hydro Electric Scheme, the Ceramic Factory and the State Transport, are progressing well and are capable of giving sufficient income for us next year. Sir, the failure of commercial undertakings such as the Rubber Factory and Sugar Factory sponsored by Government has created a feeling in the minds of the people that Government undertakings will not be a success. If properly worked, I am sure that these concerns will give us more than what we require for the reconstruction of the finances of our State.

President : Does the Hon. Member say anything about the new reconstructed Sugar Factory? Government have nothing to do with it.

Mr. Mohamed Ismail : I am not speaking of the reconstructed Sugar Factory. The failure of these concerns has created an impression in the minds of the people that Government sponsored enterprises may not be a success. My opinion is that it is possible for us to gain a good amount for the uplift of our country if these concerns are properly worked. It is also my desire to point out in this connection that the State Transport Scheme may be extended to North Travancore and that the Water Ways may also be taken under the control of the Government. But I want to stress in this connection that on no account the enhancement of fares should be effected because it will affect the poor people considerably. Instead of that, it is possible, if all the lines are taken under Government control, to get sufficient gain without enhancing the fares.

Moreover Goverment have to keep in mind certain fundamental principles as far as these commercial concerns are concerned. We cannot help getting experts from outside. But there appears to be a tendency to import outsiders without looking in to their past history, their character and qualifications. I need not mention one by one the concerns which have resulted in heavy losses due to the fact that these experts were carelessly imported. When we get these experts to our country, really more often they are foreigners, we give them local subordinates. These experts, because they are foreigners, are not able to understand the real position of our State and therefore, their local subordinates do all sorts of mischief. If the Government relax their control over these Departments I do not think it is possible for the experts, however great they may be, to manage the schemes profitably. The local subordinates have their own axes to grind.

It is a pity that the State Transport Department and other commercial concerns which are conducted solely for the sake of gain could not appoint members of different communities in their departments. In this connection I fully realise the necessity for appointing efficient hands, because we are to work these concerns for gain. While conceding that I assert that all communities have a right to serve in these departments also.

In this connection I am forced to speak a word about the communal representation. My friend Mr. Kunjukrishna Pillai stated in his speech that communal bickerings are due to the voting system. But I say it is not so. It is simply because of the favouritism and partiality shown by the appointing authorities that all communities do not get a fair share in the service. I do not wish to speak much on this point at present because I know I have got time enough to

speak on this matter when the question comes under demands. At present suffice it to say that this is the burning problem of the day and nobody need misunderstand me when I say that unless and until all communities are properly represented in public service and justice is meted out to all, Travancore is not going to have a good and prosperous time inspite of surplus budget.

About the activities of the different groups of people having different political outlook, Mr. Joseph Kunju has said much. He stated that subversive activities are going on. I appeal to Government that if they believe that any man or group of people are carrying on subversive activities, they must be dealt with severely. There is no use of saying here that people are doing this thing and that thing. Government must take legal action immediately and see that our country is saved from such activities if such activities do exist.

Mr. K. M. Korah: The Financial Secretary has stated that the financial condition of the State is thoroughly sound and satisfactory. If the real financial position is as stated by him, every Travancorean must feel glad over it. But on a study of the budget I am led to believe that, that statement is not quite correct. Before entering into the general discussion of the budget I should like to say that even in spite of the Financial Secretary's speech it is not possible to understand what exactly the financial position of the State is. To understand the real financial position of the State, the Financial Secretary should have given a clear statement of the real assets and liabilities. To show that our assets are sufficient and enough to discharge our liability, the Financial Secretary has included capital outlay as assets. As an instance in point I may say that in the assets column on page 13, the Financial Secretary has included the Pallivasal Hydro Electric Scheme works Rs. 137·54 lakhs as assets. I am asking Sir, is this the proper way of showing our assets?

(At this Stage, the President left the Chair which was then occupied by Mr. Kottoor Kunjukrishna Pillai, one of the Panel of Chairmen).

If that is the proper way, I cannot understand why the Financial Secretary has left out the other capital works such as, the Kodayar Project, the Trivandrum-Quilon Railway, the Chakkay-Tampanur Railway, etc. That this was not the practice will be seen from the assets and liabilities given in the Administration Reports prior to 1109. Before 1109, the practice was to treat these items under a separate heading known as capital outlay in 1109. We find for the first time that some of the items mentioned as capital outlay in 1108 are given as assets. I may refer to some instances. Trivandrum Electric Supply Rs 7·70 lakhs; Telephone Rs 1·2 lakhs, Pallivasal Hydro Electric Scheme Rs 5·51 lakhs, these were included in 1108 budget as capital outlay and not as assets.

Mr. K. P. Padmanabha Menon (*Electrical Engineer to Government*) : The provisions referred to by the member such as Trivandrum Electric Supply telephone, Pallivasal works etc., are converted into 5 per cent. stock. The Government get interest out of these investments. Hence there is justification for calling those provisions as assets.

Chairman : The official member will please explain that when his turn comes.

Mr. K. M. Korah : But in 1109, they are shown as assets. My submission is that the object of this change is to show that we have enough assets to meet our liabilities. I may say, that this is not the correct method of giving a statement of assets and liabilities.

I may say a word on the liabilities of the State. Of the many short term liabilities the Savings Banks Deposits alone come to Rs 206·17 lakhs at the end of next year. Under ordinary circumstances, all the depositors may not come all on a sudden for their deposits. But now a peculiar situation has arisen in view of the Quilon National Bank crisis. So what I submit is that the Government should have at least a substantial portion of these deposits as cash in the treasury. Now, what would be the closing Government balance according to Government accounts? On a perusal of page 12 of the budget, we find the closing Government balance at Rs 16·02 lakhs.

I may view the budget from another aspect. The total amount allotted for expenditure next year comes to Rs 259·99 lakhs. Out of this Rs 96 lakhs have to be set apart for interest on debts, sinking fund, superannuation allowances, pensions, Stationery and Printing etc. To this should be added salaries and allowances of officers which would come to Rs 100 lakhs and odd. So, the total amount set apart would be Rs 196·66 lakhs. The balance which remains for peoples' purposes comes to Rs 63·33 lakhs. This state of affairs is highly unsatisfactory.

I may now be permitted to say a word on the amount spent on salaries and allowances. The amount spent in 1090 towards that item was Rs 54 lakhs and when we come to 1112 it is Rs 103 lakhs and this year and next year, I think the amount would go much higher. In 1090, the income was nearly Rs 2 crores and during the period commencing from that till 1112, the income has increased by about 25 per cent. while the salary has increased by about 100 per cent.

According to me, the chief reason that contributes to the unsatisfactory condition of our finances is this highly disproportionate amount of salary in the State. Hence, my suggestion is that it is high time to reduce the number of appointments and reduce the salary and that to a considerable extent. I may also say that our State is paying Rs. 24,000 to the A. P. I. From the nature of the work turned out by them I, as a representative of the people, strongly urge the necessity for stopping this payment.

I invite the attention of Government to the famine stricken labourers of Kuttanad who are without any work now. I am in touch with those people and I therefore know their conditions. Most of the labourers are suffering from famine. They do not get even a day's meal. I request Government to spend the amount that is annually given to the A. P. I. towards the people of Kuttanad who are without any money for their daily food.

Another point to which I should draw the attention of the House is regarding the appointment of the Director of Development and the proposed Ascu treatment of timber. Before launching into this experiment and spending money, I may draw the attention of the Government to a Bulletin that was recently published by the Research Institute of Dehra Dun on the treatment of timbers. From what I have been able to understand, it is too premature to express an opinion on Ascu treatment. So, I would suggest that Government would wait and see, how far it is a success before launching into that experiment.

Viewing the budget from our agriculturist's point of view, I am asking, in right earnest, whether there is any provision in the budget to relieve the burden of the agriculturists of the State or to improve the system of agriculture. It is admitted that 95 per cent. of our people are agriculturists who are deeply immersed in debt. We know that provisions of the regulation do not at all give them adequate relief. It is high time Government afford them substantial relief. It has been the policy of Government in other parts of India to relieve the indebtedness of the agriculturists and to ameliorate their condition by means of legislative enactments and other ways. I am glad to note here that the Government have recognised the urgent necessity of giving adequate relief to them by means of legislation. I request Government to take the initiative in that matter. The bill should be sponsored by the Government, because, if a bill is introduced from the non-official side, it is likely to end in failure. At the moment when the ryot is in need of immediate help the Government should rescue them.

[Mr. K. M. Korah]

In Madras in spite of opposition from a few money lending interests, the bill was successfully passed by the Government. Here the present situation is much more favourable for the passing of such a measure than in Madras. I would earnestly request Government to introduce the bill and convene a special session of the Legislature for the same at the earliest opportunity.

I would in this connection urge the necessity of giving substantial concessions to the agriculturists of Kuttanad who have taken loans both from the Agricultural and Industrial Departments. The unprecedented fall in the price of cocoanuts, the spread of cocoanut disease for which no remedy has yet been found, the enormous fall in the price of paddy all these have impoverished the Kuttanad ryots. They have not been able to pay back the loans as per their contracts. What do Government lose in giving them 25 or 30 instalments for repayment. If Government realise that the agriculturists require immediate help, why not Government give them help in that direction at least? Government should think themselves to be the creditors of the agriculturists and effect the necessary help so that the ryots may be enabled to pay back the loans in easy instalments. Government themselves should set up that ideal. They must have the large-heartedness to help them at the moment of their dire need. I am also surprised to see that no amount is provided in the budget by way of special punja loans. How is it possible for Kuttanad ryots to carry on their cultivation in the coming year?

Mr. M. K. Ananthasiva Aiyar (*Nominated*): Is the member aware that the loans are not being repaid by the ryots?

Mr. K. M. Korah: The member himself knows that the loans are not realised mostly because of the inefficiency of the officers engaged in the collection of those amounts from the ryots concerned. If some loans are not granted by Government a large part of the Kuttanad fields will remain uncultivated. Even now, it is not too late to render them help in the direction suggested by me. So, I request them to lend their generous hand to the needy.

A word about the suppression of civil liberties, Sir.

Chairman: The member has exceeded his time.

Mr. V. S. Arumukham Pillai (*Tovala* cum *Agastisvaram*): Sir, before entering into the discussion of the budget, let me also congratulate the Financial Secretary for the very excellent budget which he has presented to us. Administrative and financial programmes of the Government indicated in the budget and the Dewan's statement explaining the budget deserve our high admiration and heartiest approval.

Sir, referring to that policy and programme the "Madras Mail" said a few days ago that it is a thing of which any Government ought to feel proud. I would like to submit that it is a policy which every Travancorean ought to feel proud of. The most successful attempts of our Government in increasing the sources of revenue, the manner in which they were raised and utilised and the objects and the principle underlying the whole plan are matters on which we ought to feel proud of. An examination of the budget during the previous years will show that the increase of revenue had been under land revenue, Excise and other items. We know what is meant by the increase in land revenue. It means pressure on the poor ryots. It is very creditable on the part of the present Government that it is directing its attention towards exploring all legitimate resources of the State and making the best use of them. That Our Government have been able to increase the revenue, which, as the Financial Secretary says, is the highest on record, without resorting to fresh taxation and without any undue pressure on the ryots is certainly a matter for congratulation. What is the object of earning and exploring these new sources of income? It is all for planned programme of national reconstruction. So far as land revenue is concerned, the door is closed. The utmost possible limits of taxation has been reached already. Any attempt at further taxing the ryots is not right; and it would not be creditable on the part of the Government to resort to new sources of taxation. The Dewan has said in his speech before the joint session that the policy of the Government is not to lock up the increased revenue in banks at a low rate of interest but to utilise them and invest them in schemes and profitable undertakings. Sir, what is the policy underlying that and what is the object of the Government? The object is to secure the greatest happiness and to ensure peaceful, happy and harmonious advancement of the people of the State as a whole. Sir, an examination of the policy and programme of Government will be found to embody the most progressive and most advanced of political ideals. In ancient days the individual existed for the sake of the State, but in modern society the State exists for the sake of the individual. What I mean is that the most important thing for the State is to secure the best life to the individual and the individual can realise the best life only through the State. So when any measure is proposed, there is little advantage to be gained by asking the question whether the particular measure is within the sphere of the State or whether it is meddling with the sphere of the individual. On the other hand the question to be asked is whether a particular measure tends to the greatest happiness of the greatest number and to the greatest advancement of the people as a whole. Sir, in this connection,

[Mr. V. S. Arumukham Pillai.]

our future revenue policy is worth special mention. It is a matter for gratification that the present Government have recognised the real hardships of the ryots. Over and above that, the present Government have recognised also the necessity that the agricultural population do stand in need of relief. The Dewan said in the joint session that demands for remission will be coming from agriculturists from particular areas which will not be dismissed. That shows that the object of the Government is to give proper relief in appropriate cases. We are also glad to learn that the object of the Government is to rely less and less on agricultural income and more and more on other sources. We have before us series of measures and schemes and they have to be considered and judged in the light of what I have said before, namely whether any particular measure operates harshly upon the individual and whether it tends to the happiness of the people of the State as a whole. Judged from this standard, I can assure the House and the public that the various schemes and measures now given effect to are for the advancement of the people as a whole. I do not wish to take the time of the House by pursuing with the various schemes and measures that have been already dealt with by honourable members.

I will refer to one other aspect, and that is with regard to industrialisation. I may say that we are only at the initial stage of industrialisation and it is a matter of immense gratification that even at this very initial stage we are able to announce to the world that a major portion of our income comes not from agriculture as in Madras, but from other sources. This is a matter for genuine pride. In this connection I will read one or two passages from a speech delivered by Sir M. Visveswarayya, in Trivandrum, to the South Indian States Peoples' Conference.

> "In a well-managed modern State, industries and trade provide more than half the income of the people. Under Indian conditions, nearly three-fourths of the population live on the lowest form of occupation, practised in the most primitive manner, namely agriculture. No one in authority seems concerned about this. There is no active interest in the powers that be to develop industrial life or spread sound ideas of economic progress among our people.
>
> The wealth of the country is derived by the work of its people. In the West, State organisations provide both training and work for their people and the country reaps a rich harvest. Here, on the other hand, material resources remain undeveloped, and the brain power of the country is allowed to lie fallow to the permanent injury of the efficiency and earning power, of our people. In this sense many of the States administrations are, I regret I have to state, unpatriotic, if not out of date."

I quote this passage simply to show that the policy pursued by our State embodies the most advanced of political ideals and the various measures, and schemes if pursued and properly worked out with the harmonious co-operation of the people, I am sure, our State will attain a position of predominence. Sir, what is wanted is hearty co-operation and good understanding from all sections of the people.

I will be failing in my duty if I do not advert to one important matter and that is with regard to the land revenue reform. I mean resurvey and resettlement. Our country stands in urgent need of land revenue reform. The glaring defect in the present system is the unequal distribution of tax burdens. Unless drastic measures are adopted and resettlement is inaugurated, existing defects with regard to inequalities and unequal distribution of tax burden cannot be remedied. The last settlement was conducted between 1053 and 1081. Since then many new plantations have sprung up. There have been encroachments of rubber and cardamom plantations. If only a resurvey is instituted it will bring to light large encroachments and this will help the State to gain a great deal by way of capital revenue and recurring revenue. Most of the suits in civil courts are due to want of proper survey records. There are arrears of settlement work still not cleared. For this reason and for the fair and equitable distribution of taxation it is highly necessary that a resurvey and resettlement is instituted.

Mr. P. I. Simon (*Municipal Councils*): Sir, I rise to offer a few remarks generally on the budget. The budget as presented by the Financial Secretary shows that our financial position is unquestionably sound. The revenue estimate for 1114 is Rs 261·41 lakhs. According to me, this is a very modest estimate. It is found to be more in view of all the measures the Government have adopted to improve our existing sources of revenue as well as to devise fresh sources. Our estimates in 1112 and 1113 were actually exceeded. Within the last two years our revenue has increased by about 20 lakhs and the next year's revenue estimate is the highest on record. There is no other State in India excepting Hyderabad and Mysore which is getting as much by way of revenue as Travancore is budgeting for. In point of population also we rank third among the Native states in India.

The existing sources of revenue, such as Income tax and Excise, have improved considerably. The Income Tax Department has recently been reorganised and effective safeguards are provided against evasion of tax. This has given a substantial increase in revenue under that head. The Government have adopted efficient methods of preventing smuggling of tobacco in the northern frontier and the increase in revenue under Excise is estimated at Rs. 1·76 lakhs.

[Mr. P. I. Simon.]

[At this stage the President resumed the Chair.]

The commercial transport scheme that started business in the month of Kumbhom last has already yielded a net income of Rs 1·15 lakhs. The expansion of commercial transport business during the coming year, especially between Munnar and Alwaye, so as to connect our planting areas with the Cochin Harbour is estimated to give us a net profit of more than Rs. two lakhs.

The ceramic factory work has progressed very satisfactorily during the current year and we are assured of about a lakh of rupees as net revenue during the course of the next year.

The appointment of Mr. Kamesam as Director of Development augurs well for the State. Our Forest resources have not so far been exploited to our best advantage. He is devising ways and means of utilising the manifold varieties of timber found in our forests so as to augment the revenue from our forests in the most substantial manner. The Director has already succeeded in showing a substantial increase under sale of softwood. He promises that, by the ascu treatment, our timbers can be made use of in lieu of steel and cement for the purpose of constructing bridges. He is also proposing to manufacture pressed boards, artificial silk, sporting goods and bamboo pulp boards from the raw materials available from our forests. I am sure that these ambitious schemes of the Director of Development will bear fruit and the revenue from our forest resources will be enhanced considerably.

The mining resources of our State are plentiful and it is very much to be regretted that they are not exploited sefficiently well. I should think that the Government are guilty of gross negligence in omitting to make the best use of our resources in that respect. We are beginning to forget the days when our State employed the services of Geologist. He did precious little and it is long since he has retired and no one has yet taken his place. So far, considerable areas has been leased to Mineral Companies for nominal returns to the State. It is gratifying to note from the Dewan's speech to the joint session of the Legislature that he is not unmindful of the fact that these being natural monopolies of the State, should be exploited to the best advantage of the State.

Now, passing on to the expenditure side of the budget, I have to say that the needs of a progressive administration such as ours should necessarily involve heavy expenditure. Our State has always enjoyed the reputation that it is one of the most well governed States in all India. The expenditure side in a beneficent and progressive administration in a well governed State ought to be on the increase every year.

A University for Travancore has become an accomplished fact and we are now free to have our own educational policy and our educational system can be so fashioned so as to suit the special needs and conditions of our State. Besides the usual faculties of law and arts, the University also provides for technical faculties such as engineering, fisheries and textile technology. There is also a faculty of oriental studies and fine arts which is calculated to revive our indigenous arts. There is also a proposal to make arrangements for the production of books of modern scientific knowledge in Malayalam.

The policy of the State has all along been to invest our moneys in reproductive schemes. We are nearing the completion of our Pallivasal Hydro Electric Scheme and we have spent more than a crore over it. Like all other Hydro Electric Schemes it is bound to give us a net return of 9 to 10 per cent on our investment. Idle money cannot be tolerated even in the hands of private citizens and they ought to be made subject to higher taxation. If our moneys are deposited in banks, the interest we get is never more than two per cent. and Government have to be congratulated on their policy of finding out more profitable reproductive schemes.

The agriculturist in our country is in the most miserable and deplorable condition. He is heavily indebted and the crops he is able to raise in spite of drought and other adverse circumstances do not fetch him an economic price. It is in such junctures that Government ought to seriously consider the necessity of expanding their functions by assuming direct control of agriculture. We have accepted the principle of nationalising transport and the nationalisation of the salt industry is being pressed for in certain quarters. Let us nationalise agriculture by taking up control of it in so far as bringing all fallow lands under cultivation, dictating to the agriculturists the crops to be grown and guaranteeing an economic price for the crops. Unless something of this kind is done, there will be no end to the demand for relief to agricultural indebtedness and to remission of taxes.

Coming to my own constituency, Sir, the Municipalities, I have to bring to your kind notice that Government are not fostering the growth of the existing Municipalities nor are they constituting Municipalities in towns where they do not exist. There are 46 towns in our State and there are Municipalities in 17 towns only. As an instance of the vast length of our State where there are no Municipalities, I should mention that for a distance of 80 miles from Trivandrum to Thiruvalla along the M. C. road, there is not even a single Municipality. There are important towns on the way for instance Kottarakara and Chengannur that are fit to be administered by Municipalities.

[Mr. P. I. Simon.]

The existing Municipalities should be allowed to grow and Government should grant them more powers and privileges. Government should have nothing to do in Municipal towns and all the functions that are now being performed by Government such as medical aid, education, transport, lighting, water, drainage etc., should properly form the functions of the Municipal Councils. As at present constituted they have nothing better to do than sweeping the roads and scavenging. The town planning scheme in Trivandrum has not progressed satisfactorily. The roads stand in urgent need of being widened. There are very many narrow roads in the busy parts of the town where school going children are exposed to dangers from vehicular traffic.

At this juncture, Sir, I may say that the District Municipalities Bill and the City Corporation Bill that have been introduced into the Legislature nearly five years back have not yet emerged from the stage of the Select Committee. The delay is unpardonable whoever may be responsible for it. I request the honourable member, the Legal Remembrancer to push it through expeditiously.

In conclusion, Sir, I congratulate Government on their policy regarding the exploitation of the States resources and that regarding the expenditure on useful and reprcductive lines which would tend to make the financial position of the State more and more sound.

President: Under the Rules the meetings of the Council should commence ordinarily at 11 A. M., and end at 4.30 P. M. As a number of members have given notices that they desire to speak on the various Demands for grants, if the House has no objection we could continue to sit till 5 P. M.

No objection was raised.

Mr. N. V. Chacko: Sir, I have the honour, pleasure, privilege and pride to belong to that class of members known as the elected members whom one honourable member not belonging to that class had the magnanimity and charity to characterise here as 'Thendikal' (തെണ്ടികൾ). At the outset I would like to thank the Dewan of Travancore for the dexterous way in which he was able to extract an assurance from the British Government that they would not stand in the way of Travancore or any other Indian State in introducing responsible Government in the States.

President: Order, order. That is an irrelevant remark.

Mr. N. V. Chacko: Sir, may I thank Lord Winterton and Lord Zetland for their statements on the subject.

President: Even irrelevant thanks are equally irrelevant.

Mr. N. V. Chacko: With regard to other matters the activities of the Government may be divided into those which are known and published and those which are not known and would not be published. On the latter I can say nothing. But on the known activities there is little for me to congratulate the Government. It appears that the Government are not giving and devoting proper attention and energy that are needed for constructive and ameliorative works. The Government are wasting and frittering away their time and energy upon activities which do no good to them but result in a lot of evil to the people.

It would seem that the main object of the activities of the Travancore Government is to advertise themselves as great benefactors by whitewashing all their evil acts. They are not doing any real benefit to the people. If they are benefiting the people in any way there cannot be any objection to advertising it. But even when an injury is done to the public it is being tried to be broadcast as a real good to the State. It is not the broadcast news alone that reach the people of the Northern Frontiers and our neighbours but news reach them by other processes which may be called percolation, conduction, etc. I am sure that the Government will do well to follow the healthy example of the present Madras Government in cutting down the salaries of the Government officials and in introducing social and relief measures calculated to improve the condition of the people.

One thing which the Government should not tolerate in Travancore is the flattering of Government officials by the people in the press or on the platform. It appears to me that Government officials are more prone to flattery than their salaries or even bribes in the case of those who accept bribes. Flattery has been badly nauseating to me. It must have sickned all the people of Travancore. It seems to have deprived Government officials of their sanity and discretion and sense of proportion and perspective. It is this appetite for flattery growing by what it feeds on that makes Government officials oversensitive and touchy even with regard to sane criticisms and makes them say that people are disloyal and not law-abiding. Fortunately, some time ago, a rule was made that excepting the Dewan, the Heads of Departments should not receive addresses or presents. I am not complaining about this exception in the case of the Dewan. But no such exception should be made in favour of the Dewan in the matter of flattery.

President: Order, order. I think the honourable member will find no rule enjoining the flattery of the Dewan.

Mr. N. V Chacko: No, certainly not. What I meant to submit was that flattery is abundently being poured out in Travancore as the waters of the flood of 1099.

President: Order, order. I think the flattery such as it is is judiciously administered along with denunciation in the proportion of 100 to 1. (*Laughter*)

Mr. N. V. Chacko: Flattery is twice cursed. It curses both the flatterer and the person flattered. I am not complaining against any judicious approval of the conduct of the Government. If a Press Regulation has to be retained in Travancore it may contain only the provisions that the license of the flattering newspaper shall be cancelled and that its editor will be liable to whipping for flattery. In fact this evil is so rampant now that it is being indulged in even in this House. In the Financial Secretary's budget speech in 1112 there is one passage that is not only flattery but blasphemy also.

"As a result of our prayers and mainly because of the energetic drive of the present Dewan who assumed charge shortly after the last budget, whose career is, as you all know, characterised by the uniform good fortune and prosperity and whose touch converts every thing into gold etc. etc."

Here there is an implied comparison between God and a human being and that is why I said there was blasphemy.

President: Order, order. I take it that the budget that is being discussed is the budget for the year 1114 M. E. The speech delivered in connection with the budget for the year 1113 is not quite in point.

Mr. N. V. Chacko: Sir, I have been quoting an instance to show that even in a budget speech there are such examples of flattery. The gift of golden touch is not a blessing as I have been taught in the school final class. If everything that a person touches is turned into gold his children also would be converted into gold.

President: Honourable member will proceed with the budget for 1114 M. E.

Mr. N. V. Chacko: It appears that the general policy of the Government is tending towards totalitarianism or fascism or nazism. These are quite foreign to the soil and tradition of India and all the more so of Travancore. I have read a neat definition by the Honourable President that dictatorship is the sublimation of popular will. I have seen pictures where Mussolini is seen working with peasants. I do not know whether our Dewan or any other Government officer including the Director of Agriculture will be prepared to work for some time at least with the peasants. There

is much difference between those countries where dictatorship prevails and our State where the Government are not able to understand or appreciate popular will.

One word with regard to the question of disloyalty and of not being law-abiding. I am very much touched by this. There can be individuals whose certain acts may be disloyal in that particular case. But till now or till atleast about 5 years ago, we never knew or heard that the country as a whole or any community or section of the community there, was in any way disloyal and nonlaw-abiding. For some time only some papers were making that charge. But now even the Government have begun it. If it were true that there is disloyalty in this country when did it originate? What or who was the cause for that? It is very essential to seek and find it out. If the people of Travancore have from time immemorial been traditionally loyal and law abiding and till now if there has not been the slightest sign of disloyalty to His Highness the Maharaja who is as dear to the people as their life and soul, how can it be feasible for the people to turn to disloyalty to the Maharaja all of a sudden? If they are not disloyal to the Maharaja they cannot be disloyal to anything which has the sanction of the Maharaja. Loyalty to the Maharaja does not mean loyalty to officers. It is not as Lamb says 'if you love me you should love my dog also. Loyalty to the Maharaja cannot mean loyalty to even peon or scavenger employed in the public service.

Mr. R. Kesavan Nair: May I know whether the Dewan speaking at Kothamangalam made statements to the effect that the State Congress is disloyal?

Mr. N. V. Chacko: When the head of the administration either in his personal or official capacity makes a remark that certain people or sections of people are disloyal that certainly is a very serious matter. Probably the Dewan may have got such information from the C. I. D. Let us see what the honourble member, the Rajyarakshapravina had to say about the Police. This is what he says: "Sir, does the honourable member really think that the Commissioner would not have tried his best to ascertain who the culprits were? Does the honourable member really believe that the policeman is likely to come forward and confess before the Commissioner. Is it the case with all the accused?" I am reading from the Council Proceedings of the 29th Karkadagam 1112, page 538. The Commissioner means that the police would never speak the truth when it goes against their interest and that in such cases they should not be expected to speak the truth. Probably he is advising them here not to speak the truth. Even murderers after committing murders rush from the scene of offence right to the police station and confess the guilt. The implication in the sentences

[Mr. N. V. Chacko.]

just quoted is an admission that every confession by the accused is the result of tortures. There are at least rare exceptions to him.

President : Order, order. The Honourable member has got four minutes more.

Mr. N. V. Chacko : Yes, Sir. In ninety-nine cases out of hundred it may be the result of torture. My submission is that the report of the police cannot be swallowed as a whole. I am sure that all the people of Travancore are entirely loyal and law-abiding unless we are going to define loyalty and law-abidingness in the terms in which Dr. Johnson defined patriotism.

Mr. R. V. Thomas ; May I know what that definition is?

Mr. N. V. Chacko : I do not mention it here now.

With regard to the question of loyalty I would like to quote two lines which are considered to be the deepest lines in Shakespeare 'There is nothing good or bad but thinking makes it so.' That is why the State Congress has been accused by the Government of disloyalty while the Travancore National Congress agitating with the same acknowledged object of attaining responsible Government is considered loyal and law-abiding. If there are any differences between these two they are so minute and casuistic as some Christian churches have got about their doctrines. I feel that the Travancore State Congress is more sinned against by the Government than they have sinned against the Government. I have no time now to quote instances of the Government sinning against the State Congress. The feeling that the State Congress cannot hold meetings while similar meetings to agitate for responsible Government are permitted or even encouraged to be held by other associations like the Travancore National Congress touches a citizen of Travancore to the quick so keenly that one cannot give sufficient expression to it. The question of loyalty and disloyalty is not an academic one. It affects the flesh, the blood, the soul, the body, the imagination and the brain. It was said that some rowdies were responsible for assaulting some State Congress members and disturbing some State Congress meetings. Were not they existing before this? What touched their psychology to cause disturbances now. And if they do not continue the disturbance hereafter what is it that checks them? The worst of it all is the assault on the students in the Science College compound under the very nose of the professors. What do you expect of students except hooting and howling when situations arise? Have we not done so in our own

days? Even if the students did the worst they could possibly do they ought not to have been attacked at all. We are all aware of the heartlessness and cruelty that were behind the lathi charges on them. It would have been better if the police had used guns or even machine guns against the students. That would have been neater and less wicked.

President: Honourable member has one minute more.

Mr. N. V. Chacko: Every detail of it is gruesome. Voltaire has said 'fate is temperament.' I think the present situation in the country is due rather entirely to the temperament of the Government than to anything else. Sir, due to flattery the clear vision and sanity of the Government are blurred or disturbed and they have been made oversensitive and unable to tolerate even fair criticism. But the whole defect of our Government is due to the lack of character. In all the flatteries we do not find any of the Government officials being praised for character. It is character alone that can make one great. Cleverness without character cannot make one great. Satan is clever.

President: Order, order. The honourable member is using defamatory language against an organisation.

Mr. N. V. Chacko: Sir, I withdraw the words most willingly. I have not the remotest intention of offending the Government on anything animate or inanimate.

President: The comparsion of Government to inanimate object may be humorous but is not in keeping with the honourable members's withdrawal.

Mr. N. V. Chacko: The word was not used deliberately. I only meant to say Government or institutions or individuals of comparatively much smaller position or status. Confucious about 2500 years ago......

President: Order, order.

Mr. G. Narayana Aiyar: Sir, before expressing my views on the budget, I would request you, Sir, to convey to His Highness the Maharaja and to our sympathetic Dewan our deep sense of gratitude for the kind remission of land tax which was announced recently. Sir, the benefit of that remission has been of immense help not only to the poor agriculturists but also to the rich who too in fact, have been seriously affected by the present economic depression. It can be said without fear of contradiction that we have no millionaires in Travancore; everyone, rich or poor, has to depend upon the sale of local products for his subsistence. That being the case, the remission so kindly granted to us has helped us all without any distinction whatsoever at this critical period when we are all badly in need of help.

[Mr. G. Narayana Aiyar.]

There is just one appeal that I have to make to you, Sir, in regard to this remission. All that I am going to suggest is that the order should be construed a little more liberally. As the order now stands, it appears that only the arrears remaining unpaid on the last day of Karkatakam this year will come under it. It means that those who, due to their sense of loyalty and respect for the Government, have paid the tax promptly and punctually, at great risk and considerable loss, will not be entitled to get the benefit of this remission. Certainly, that will give a premium for delayed payment. In the succeeding years, nobody will think of making punctual payment, and will try to postpone payment of tax till the very last day, in the hope that towards the close of the year Government would announce some sort of remission. Sir, on a previous occasion the benefit of such remission was extended also to those who had already paid the tax. I request the Government that a very liberal construction may be adopted now also and definite orders passed to the effect that the remission announced will be applicable to those who have already paid the tax due and that the amount remitted will be given credit to, as in the past, towards the tax due for next year.

Coming to the budget, it is very encouraging to find that the revenue has reached a peak-point notwithstanding the severe economic depression and the very low price of agricultural products; and it is also noteworthy that there is not a pie of additional taxation. The public of Travancore owe a deep debt of gratitude to you for your exploration of new sources of income without additional taxation. I may in this connection assure you, Sir, that you have the hearty co-operation of all sections of the people. Given sufficient peace of mind I am sure you will find it possible to explore more sources of revenue and to see that our revenues rise by leaps and bounds; and I hope the public will heartily co-operate and do their best to see that you are able to bestow all your attention to such activity and that your attention is not diverted to political and other troubles.

Coming to the budget proper, I want the Financial Secretary to clear my doubts about one point. Items such as minor survey circuits and the bankshall construction at Trivandrum are put down as 'Items not Charged to Revenue', while the bankshall construction expenses at Munambam and the expenses for the construction of the Commissioner's Bungalow at Devicolam, for instance, are put down as 'Items Charged to Revenue'. Sir, similar items of expenditure are grouped under different heads. That gives room for suspicion and requires satisfactory explanation.

Sir, the Village Panchayat Regulation was passed in 1100, and still we have only six Panchayats. Sir, this is a matter to which the attention of the Government has been pointedly drawn on previous occasions also. I hope Government will seriously consider the question and establish more Village Panchayats so that the Government may be relieved of the responsibility of looking to the needs of the village people. It is high time that we leave village questions to be managed by the villagers themselves.

Sir, the allotment for new roads is, I beg to submit, far from satisfactory. Roads are one of the prime necessities of the agriculturists. Unless they are able to take their produce to markets and sell them, how can they pay the taxes? And for that, they require good roads. And, this is a matter in which very little attention has been paid by the Government notwithstanding repeated requests so far as North Travancore is concerned. In regard to North Travancore, this is not peculiar to this year alone; all along, we have been neglected and our agitations are ignored. In fact, not only in the matter of roads but in every other matter we have been neglected.

Sir, I would draw the attention of the Government to the recent breaking open of the doors of our Perumpavur Munsiff's Court building *i. e.* early in 1113. Sir, this has been occurring in the years 1111 and 1112 also. The fact was brought to the notice of the Police as well as to the notice of the High Court Judge when he went there on inspecton. The matter was seriously taken up and the necessary repairs for the building were recommended. In fact, very recently, by about the end of Mithunam the Munsiff there received official communication from the Engineer to the effect that the urgent repairs of the building at a cost of Rs. 3,000 and odd had been included in the budget and sanctioned and will be carried out at once. Just a few days after this, early in Karkatakam, I received the copy of the budget. To my great surprise I found that there was absolutely no provision for this very important item of work which the High Court themselves have regarded and treated as very urgent.

I shall now refer to another matter in which according to me there is considerable waste of public funds; and we are sure, Sir that if you are convinced that there is waste anywhere you will immediately take steps to see that it is prevented, and the money saved is utilised for useful purposes. Sir, the Law's Delays Committee was appointed and they submitted their report in 1931. After conducting a thorough enquiry they came to the conclusion that the average file for one Munsiff's Court ought to be between 750 and 800 ordinary suits and about 1,000 small cause cases; they also suggested that territorial jurisdiction of certain courts should be

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altered and certain Munsiffs' Courts should be located in certain areas. Sir, it was after going into the question of law's delays and the necessary remedies for avoiding the same that they made their recommendation about the work that a Munsiff can handle and the distribution of Courts. Sir, subsequent to that report, the Jenmi Kudiyan Amendment Regulation XII of 1108 and the Agriculturists Debt Relief Regulation of 1112 were passed. The effective working of the Nayar Regulation and of the Chitties Regulation, began only after that. As a result of all this litigation has gone down considerably in Travancore State. While there were 65,082 suits in all the Munsiffs' Courts put together in 1108, in 1112 it came down to 51,316. That there has been a decline in litigation as has been admitted in the Report on the Administration of Civil Justice for 1112. Now there are several courts in which the file is far less than the minimum suggested by the Law's Delays Committee, namely, 800 original suits and 1,000 small cause cases. I shall give some figures.

		Cases pending on the 1st of Mithunam.		
		O. S.	*S. C. S.*	*Total.*
Nedumangad	...	481	152	633
Adoor	...	517	193	710
Karunagapally	...	564	229	793
Krishnapuram	...	478	142	620
Ambalapuzha	...	672	162	834
Haripad	...	715	132	847
Kuzhithurai	...	754	116	870
Neyyattinkarai	...	773	138	911

These figures will show that the Munsiffs in these places have not got enough work; somehow or other they are pulling on. When the Munsiffs are asked to explain about the poor disposals and pendency they complain that the distribution of jurisdiction (territorial) is not proper. On the other hand, there are other courts where the files are very very heavy. In Changanacherry for instance, there are 1,352 original suits; 1,338 in Muvattupuzha, and 1,391 in Menachil. There are also several other courts where the number of ordinary suits pending on the said date is more than 1,000 besides small cause suits. Proper territorial adjustment has become absolutely necessary. Some are not able to cope with the work, while others have no work.

Sir, we have only 30 taluks; but we have 40 Munsiff; and side by side, there are also 6 Conciliation Officers. It is clear from Government reports that the Conciliation Officers also have very little

work to do. Sir, why not, I ask, some of these Munsiffs Courts and Conciliation Courts be abolished and the Conciliation work entrusted to the Munsiffs as is done in Mysore. I am sure that, with proper redistribution of work, it will be possible to reduce the number of Munsiffs at least by 6. Each Munsiff's Court establishment costs the Government yearly not less than Rs.10,000, so that the abolition of 6 Munsiff's Courts would mean an annual saving of Rs. 60,000. I submit, Sir, that this matter deserves the earliest attention of the Government. I am told that memorials have been sent up for the redistribution of territorial jurisdictions of various courts. That has been going on for a number of years. Sir, it is high time that this serious wastage of public money is put an end to as early as possible and the saving effected utilised for the good of the people.

Sir, there appears to be an additional provision in the budget so far as the Excise Department is concerned. Last year some re-organisation took place which involved nearly a lakh of rupees. It was said that regular smuggling of tobacco was going on and if sufficient staff was given, most probably the annual income might increase between 5 to 10 lakhs. The figures in the budget for the current and next year show that the expected income cannot be realised. The amount under tobacco realised during the year 1112 was Rs. 23,51,826. In 1113 when the re-organisation took place and a lakh of rupees was invested, it was expected that the figure will come to Rs. 25 lakhs. But what was actually realised or what is expected to be realised now is only Rs. 23,35,000. In the next year we expect only Rs. 24,40,000, not even an increase of Rs. 1 lakh, the amount spent on the re-organisation of the Department. What does it show ? In the year of the re-organisation it was argued that there was not sufficient time to get a full return adequate to the additional investment. What about the income for 1113 ? The expectations have not turned out to be true. But what do you expect for the current year ? Rs. 24,40,000, a little over what was realised in 1112. This is not encouraging. It is gratifying to note that with the advent of the new Commissioner the tone of the Department has improved and I am glad to say that the subordinates are doing their dutis very satisfactorily. I hope that the Excise Commissioner will see that the additional amount incurred for the re-organisation of the Department is satisfactorily compensated by increased revenue for the next year, and that he will take all possible steps to see that the expectations are fulfilled.

As regards Land Revenue I have to submit one fact. It can be seen that the Land Revenue for this year is expected to be a little over 41 lakhs. It went down to a considerably small amount

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in 1103. Before the pre-depression years, in 1104 it was ranging between Rs. 41 lakhs and Rs. 42 lakhs. It is only very recently that it has reached the figure Rs. 41 lakhs. Sir, we have been getting remissions year after year. That is a fact which could not be forgotten. So far as South Travancore is concerned we see that there is a lot of cry always for reduction of tax. Every year Government are kind enough to grant remission also. What I would submit in this connection is, that it will be advisable that Government at once delcare that a certain portion of the present tax alone be charged on an acre of land ; say Rs. 15 or Rs. 20 per acre. The present tax in some instances comes Rs. 35 per acre. inclusive of watercess. That is very high. Side by side with that declaration Government may also appoint a Committee to go into the whole matter, thoroughly and declare that the excess over the declared rate need be paid only after the report of the committee and only if the committee say that the rate of tax now charged is not excessive. Unless such a declaration is made by Government, the giving of remissions yearly may not create a peaceful atmosphere. The agriculturists are very hard hit, especially in South Travancore and I request you, Sir, to make an announcement on the line suggested by me or in any other conciliatory manner.

Mr. S. Kamesam : Sir, there has been a certain amount of misconception regarding the activities of my department which is hardly six months old. The main policy of my department is the intensive, systamatic and extensive utilisation of our forest resources as dictated by recent research and modern scientific principles. I have no time to go into the various cross sections of the work of my department as I have only a few minutes available to me. I shall meet one or two points that have been brought against my department. Travancore has no resources for steel and cement and she imports steel and cement annually to the extent of over Rs. 10,00,000. On the other hand, she could have exploited in the previous years about 5 lakhs of cubic feet of excellent timber for the purpose, thus effecting considerable economy. This timber could be utilised even for heavy engineering works such as highway bridgs and marine piers. I am glad to tell the Honorary Members that since my coming I have been able to find use and market for 1 1/2 lakhs to 2 lakhs of cubic feet of this timber which could have been exploited during any of the previous years, but which was not exploited, as no use could be found. In this connection the Honourable Members may be interested to know that a sum of Rs. 50,000 has been ear-marked in the budget of my department for rural bridges. These bridges will be constructed during the course of the next year. Even if 2 lakhs of cubic-ft can

be utilised during next year our gross revenue in the Forest Department will go up by Rs. 4 to 5 lakhs and we shall be able to release probably some teak timber for the foreign market so that we may have a favourable balance of trade.

Mr. Nedumangad R. Kesavan Nair: May I know whether any bridge with timber treated with ascu has been constructed anywhere else?

Mr. S. Kamesam: Although in India more than one or two treated timber bridges have not been built, they have been built on a very large scale in America, where 80 percent of the total bridge length of the railways consists of treated timber bridges.

Mr. Nedumangad R. Kesavan Nair: May I know the number of years during which the bridges constructed with treated timber will last?

Mr. S. Kamesam: As far as the experience in America goes, treated timber bridges have lasted anywhere from 30 to 60 years. Recently the Committee appointed by the American Railway Board came to the conclusion.

Mr. Nedumangad R. Kesavan Nair: May I know.

President: He has only six minutes and he has no time to answer questions.

Mr. S. Kamesam: Sir, with regard to the scepticism regarding ascu expressed by one of the Honorary Members I may say this. The attitude of the Forest Research Institute has been this. Ascu or any invention in wood preserving is such that no final opinion can be expressed probably for 20 years. As far as modern and recent scientific technique have been developing, the Forest Research Institute has made accelerated test not only with regard to Ascu but several other wood preservatives, and they have stated in the recent periodical quoted by one of the Honourable Members that although ascu treated wood has been submitted to more severe tests than several dozen other varities, there was not a single failure with Ascu, and that it gives the best results. I may also mention in this connection that the Mysore Government have treated over two lakhs of railway sleepers and a few thousand electrical poles with Ascu, the United Provinces Government have treated about 3 1/2 years ago 900 miles of high-tension line posts, and the Punjab Hydro Electric Department have also a few thousand ascu treated timber poles. The Madras Government are now putting up 2 plants and in their recent specifications they have definitely specified ascu for the treatment of electrical poles. I might add the ascu has been used in smaller or larger quantities in several foreign countries.

Mr. A. T. S. Kader Bhoy: May I know whether the timber used in America is available there or whether it is imported from other places?

Mr. S. Kamesam : The timber mostly used in America is fine, a timber which is about 60 per cent as strong as some of our hard woods for which there is no market, and which we can get in very large quantities.

Mr. Nedumangad R. Kesavan Nair : Were any bridges constructed with timber treated by Mr. Kamesam?

Mr. S. Kamesam : Yes, Sir, At the Lucknow exhibition I designed and put up a bridge of 50 ft. span, 16 ft. width of road way, constructed out of ascu treated timber. It was tried with a 12 1/2 ton roller and the road-way engineers were thoroughly satisfied with the soundness of the design and economy of the structure.

Mr. M. Govinda Pillai : Sir, I do not propose to traverse the entire ground of the observations made by the Honourable members, but I would like to refer to one or two specific points. My friend, the Honourable Member Mr. Kesavan Nair, expressed his apprehension as to whether the Ceramic Factory was going to bring in any income at all in the next year. I may inform the Honourable Member and the House that negotiations are practically complete whereby Government are assured of an income of at least a lakh of rupees on account of the efforts of the Ceramic Expert.

Sir, apprehension was also expressed as to how far the Government would realise any profit from the Transport Scheme. I think that the Honourable Members are aware from the facts and figures already published in the papers and elsewhere that during the past seven months the Transport Scheme has been in operation in Travancore, the Government have realised a profit of nearly 15 per cent. Government have also absolutely no doubt in expecting a decent out-turn on their investments in commercial transport.

Mr. Ismail suggested that sufficient representation has not been given to the several communities in the Transport Department. Several questions have been asked and doubts expressed elsewhere also on this identical subject. Government have already ascertained that the Transport has been duly and properly constituted, representatives from various communities being recruited by the Transport Superintendent. Government have also issued instructions to the Transport Superintendent that, consistant with efficiency, representation should be given to the less represented communities in that branch of Government activity also.

Sir, I have to say a word about the observations made by my friend Mr. Chacko. Sir, he questioned the propriety and the wisdom of the Government characterising the activities of the State Congress as subversive and disloyal. Government have got ample information in their hands to justify that characterisation.

Mr. K. M. Korah : May I know what those are?

Mr. M. Govinda Pillai: It is unnecessary and superfluous for me now to detail all the circumstances. But one or two instances I shall give for the information of the House.

Mr. R. V. Thomas : May I know why the details are unnecessary ?

Mr. M. Govinda Pillai : I mean that within the limited time that I have I am not able to give all the details. But one or two circumstances which have induced Government and which in the public interest may be divulged I shall just refer to. The Honourable Member and the House will be aware that there has been a deliberate campaign of persistent disparagement of the credit of the country and that campaign has been carried on not only inside the State but outside the State as well. Probably it is not within the knowledge of most membere that even a very futile attempt has been made to engineer a run on the Savings Banks Deposits.

Mr. N. V. Chacko : May I know from the member whether it was not the prohibitory order that was the cause of the State Congress Party going outside the State ?

President : The Honourable Member is referring to a run on the Savings Bank deposits. There was no prohibitory order in regard to that.

Mr. Nedumangad R. Kesavan Nair : May I know what the State Congress party did in regard to the rush on Savings Bank deposits ?

Mr. M. Govinda Pillai : I am referring to the results of the activities of the State Congress. There has been a persistent attempt in different parts of the country to have a run on the State's Savings Banks.

Mr. Nedumangad R. Kesavan Nair : May I know.

Mr. M. Govinda Pillai : I do not yield, Sir.

President : It is generally considered right and proper that members of Government answer all possible questions and ordinarily speaking, Government members will resume their seat when interruptions are made and questions are asked. But it must be remembered that the Honourable Member has got only four minutes and if Honourable Members want to put any questions they may do so after his speech is over.

Mr. M. Govinda Pillai : Sir, it is needless and superfluous for me to say that the Government of Travancore is not based on fragile or on insecure foundations. The Government finances are absolutely secure and such attempts can only be characterised as unfortunate. Apart from the disparagement on the

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credit of the country, both inside and outside the State, there has also been a consistent agitation to impute corruption and *mala fides* to the Head of the Administration. Sir, the Government certainly would welcome constructive and reasonable criticisms on their measures. But, to attribute corruption and *mala fides* to the Head of the Administration is certainly subversive and disloyal. I may even say that there were certain publications and utterances by some members of the organisation to an extent that even the most exalted in the land have not escaped their slanderous tongues. Sir, the President read one of the very sentences which was uttered by one of the prominent members of that organisation and that sentence I shall read again with your permission.

> "I visualise that if Government do not retrace their steps, we will let loose a non-violent civil war in Travancore within the course of two months."

What else could I characterise as more subversive and more disloyal than this utterance? After all, have the conditions and circumstances in Travancore come to this stage, that there should be a civil war, that there should be a threat of civil war?

Mr. Nedumangad R. Kesavan Nair: Are we allowed to put questions to him now ?

President: No, only in the end, because the Member does not yield his place.

Mr. M. Govinda Pillai: Sir, such statements and threats have emanated not from mere individuals but from members of the State Congress Organisation. They are not personal or individual utterances, pure and simple. But they are the results of deliberations and consultations in secret conclaves and conferences. The Government have ample proof that these secret conclaves and conferences were held by this particular organisation. It was in view of these circumstances that the Government and the Dewan on a particular occasion referred to the disloyal and subversive activities of not only this particular organisation, but of particular members of that organisation.

Mr. Nedumangad R. Kesavan Nair: May I know how the finances of the State are affected as a result of the activities of the organisation ?

Mr. M. Govinda Pillai: By their deliberate campaign to discredit the financial solvency of the State, inside and outside, which was quite unwarranted and unjustified.

Mr. Nedumangad R. Kesavan Nair. But, was there not a run on several banks in the country ;

Mr. M. Govinda Pillai: I am surprised that the Government should be compared with those mushroom banks and attempts made to discredit the solvency and soundness of it.

Mr. R. V. Thomas . Are those banks to be called mushroom banks ?

Mr. M. Govinda Pillai : All banks which have collapsed as a result of fraud and inefficiency can only be considered as mushroom growths.

Mr. Nedumangad R. Kesavan Nair : Sir, the member has not answered my question.

President : He is not bound to answer all the questions.

Mr. K. J. Cheriyan : Sir, I am glad to state that the budget has been received well by this House also. I may however say a few words in reply to the criticisms made by the Honourable members. It was pointed out by some of the honourable members that there is very little in the budget to show that the needs of the ryots are attended to adequately by Government. I may observe that for the next year a sum of Rs. 40,000 has been provided for ameliorative measures for the depressed classes, Rs. 3,000 for rural reconstruction, Rs. 6,000 for Village Panchayats and Rs. 3·23 lakhs for Protective Irrigation Works besides ample provision made under Medical, Sanitation and Public Health Departments and Co-operative Department. It was also pointed out that only Rs. 7,000 has been provided for the Shertalai taluk and other areas for water supply. I may say that this amount is only for expenditure in connection with the investigation of water supply scheme and that it does not represent the outlay on the scheme.

Mr. K. K. Kuruvilla : Has the scheme been settled finally ?

Mr. K. J. Cheriyan : Not yet, Sir.

Another honourable member referred to the closing Government balance and pointed out that the amount has dwindled down to Rs. 16·03 lakhs. I may observe that one reason why this balance has gone down to this figure is the creation of two Reserve Funds, *viz* the General Reserve Fund and the Revenue Reserve Fund which together amount to Rs. 72 and odd lakhs. The Government account balance at the beginning of 1106 was Rs. 165 odd lakhs and since then, capital expenditure on non-productive works to the extent of Rs. 151 and odd lakhs has been incurred. If this capital expenditure, which is mainly on development works and schemes of lasting public utility, had not been incurred, the Government account would have been Rs. 166 and odd lakhs. The items such as the Railways the Water Works, Drainage etc., are all items of public utility and are met out of accumulated surpluses. During the current year a portion of the surplus balances was invested in short term deposits and consequently, the balance was reduced to Rs. 52·16 lakhs. As a result of the programme of capital expenditure during the next

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year, both productive and non-productive, to the extent of Rs. 88 and odd lakhs, the cash balance is expected to be reduced to Rs. 40·97 lakhs.

A reference to the 'Assets and Liabilities' statement at the close of 1114 given at pages 13 and 14 of the Preliminary edition of the Budget Estimate would show that our total assets amount to Rs. 537·12 lakhs as against a liability of Rs. 152 and odd lakhs only. Our actual debt on account of loans amount to Rs. 144·11 lakhs including special loans.

Mr. Nedumangad R. Kesavan Nair: How much are the liquid assets?

Mr. K. J. Cheriyan: More than Rs. 265 lakhs, Sir.

Mr. Nedumangad R. Kesavan Nair: How was that figure arrived at? May I know whether that includes the amount for buildings also?

Mr. K. J. Cheriyan: No, Sir.

Mr. Nedumangad R. Kesava Nair: Then, what are the items which constitute that asset?

Mr. K. J. Cheriyan: It consists of the cash balance of Rs. 40 and odd lakhs and the investments in Government securities.

The five per cent. loan of Rs. 14·75 lakhs raised in 1091 has already been fully secured by investment in Government of India Securities. So our actual debt position will be Rs. 129·36 lakhs only. Against this debt we have investments on reproductive works to the extent of Rs. 222·24 lakhs including Rs. 37·86 lakhs advanced to the Cochin Harbour uthorities towards the 4th stage works. Our investments in gilt-edged securities etc, amount to Rs. 225 and odd lakhs including the sinking fund investments of Rs. 14·75 lakhs, and our investments on Reproductive works alone exceed the actual debt by Rs. 92·88 lakhs.

Mr. Nedumangad R. Kavan Nair: May I know whether the figure Rs. 115 and odd lakhs was arrived at after reducing Rs. 25 lakhs?

Mr. K. J. Cheriyan: I will come to that, Sir.

As our investments on Reproductive works alone exceed the actual debt by Rs. 92 and odd lakhs, there need be no anxiety whatever about our financial position which now stands on an unassailable basis.

Mr. Nedumangad R. Kesavan Nair: May I know what is the special loan of Rs. 78 and odd lakhs made up of?

Mr. K. J. Cheriyan: It consists of Palace loans and other loans, Sir.

President: Under the Rules, it is my right as it is my privilege to make a few remarks at the end of the general budget discussion; and I propose to do so solely confining myself to certain aspects of the budgetary position of the State. It is true, as the Secretary Mr. Govinda Pillai stated, that there has been a deliberate and persistent attempt made within the State, and even more thoroughly without the State to make it appear that the State is in a practically insolvent condition, that its finances are being mismanaged and that it is almost 'bankrupt'. That word was in fact used on some occasions. It is therefore necessary for me to point out certain facts and to make an appeal. If honourable members really and honestly believe that the finances of the State are in a perilous condition, that we are heading towards bankruptcy and that the finances are mismanaged, by all means, let the exposure come. Let the facts be stated and re-stated and reiterated. But, for political exigencies, for indirect ends, to say that, not only inside the State but outside, the financial condition is critical, that if there is a run on Anchal Office Savings Banks, there is not enough money to repay, the moneys due that it is hardly necessary to say-is not good from the point of view of the people of the State, from the point of view of the prosperity of the State, from the points of view of the prestige of the state, from any point of view not even of self-interest. But yet, that has been stated and re-stated.

Let me put another aspect of this matter. Is it not the duty of the people of the State to resort only to constructive criticism on financial and other matters, and put useful suggestions before the House and try to evolve a better financial scheme, a better budgetary ideal? Instead of that, to raise these bogies, to make statements which are demonstrably inaccurate, merely for the purpose of creatting a panic, is, I submit not doing the right thing, by the State.

Now, I pass from that topic. There was undoubtedly—the Secretary was right in saying this—an attempt engineered in certain selected places to create a run on Anchal Savings Banks. The run took place. An amount to the tune of Rs. 2¾ lakhs was withdrawn within four or five days from Anchal Savings Banks. I am glad to say that more than that money has come back and money is now coming back to such an extent that Government are considering whether it may not be necessary to prevent a further investment of large sums in Anchal Offices. But there is no doubt that a deliberate attempt was made in that direction and I think it is the duty of Government to put an end to those attempts. I know the localities—I will not mention them—but they are significant.

So far as the general financial policy of the Government is concerned, it is this and it has been so stated. Government's policy is not to hoard money on non-interest bearing or nominally

[President.]

interest-bearing securities. Let us consider what the interest that was derived by this Government from their cash balance was till three or four years ago. The Imperial Bank, on deposit, paid one per cent interest. It was at one per cent interest or no interest that Rs. 150 or Rs. 200 lakhs had been invested. The policy of this Government is not to continue in that policy but to invest the money in interest-bearing resources. Therefore you will find that today, although what is called the cash reserve is Rs. 40 or 45 lakhs, considerable sums are put out at one and three quarter per cent, two per cent and two and a quarter per cent interest and so forth. That accounts for Rs. 25 lakhs. Over and above these sums as has been pointed out by the Financial Secretary, a great deal has been spent by Government on productive schemes. As a matter of fact, no civilized Government in the world nowadays keeps money in its treasuries. The general accepted policy is that the Government must budget only just for the bare minimum of its expenditure and must not save money but must borrow for reproductive expenditure so that with the borrowed money they may embark upon new schemes. It is in that spirit that the Mysore Government has embarked upon its hydro electric scheme, which at its inception was considered to be a doubtful concern from the financial point of view, but which now helps materially to swell the resources of Mysore and which pays seven to eight per cent yield. Pykara scheme in Madras was pronounced a costly fiasco. The Honourable Sir M. Krishnan Nair when he was a non-official criticised me and he ran the department after me. He had stated that the scheme would fail but he learnt of the possibilities after he succeeded me and that department is now bringing a revenue of seven per cent. So far as this State is concerned, the Pallivasal Hydro Electric Scheme, I repeat, will become a *faitaccompli* in the course of 1939 ; and already contracts have been entered into for the supply of the power. Within the first year we hope to make a fairly good revenue ; and during the second year we hope to pay six to seven per cent.

So far as the Ceramic factory is concerned, in spite of the doubts that have been raised, it is certain that the market is ready not only for the entire present output but for something more at a price which we can suggest, and a large profit is ensured on that account.

So far as transport is concerned, Government have entered into a contract for the transport of a large amount of tea which now goes through Tuticorin to be taken to Alwaye and thence to Cochin. Alwaye will become a great entrepot for commerce. It will be a centre wherefrom provisions will go in our own transport vehicles back to the various tea estates. This scheme is expected to yield

by itself next year a net revenue of Rs. two lakhs. I am therefore saying that the policy of the Government is not to allow its money to lie idle in its chests and treasuries but to put in beneficial channels so that plenty might come. It is in the way of practical industrialisation bringing in its train various other enterprises that the essential agricultural situation can be modified so as to make this country not only entirely agricultural but partly agricultural and partly industrial. In all these schemes co-operation and help is essential. Criticism leads us no where, pessimistic forebodings take us no where. Conjoint effort will lead us to prosperity.

Mention was made of the Rubber Factory. Government was wrong in running it on commercial lines and as a Government Department and it has been stated definitely by the Government that it will not do so hereafter. By the present arrangement, it is run by a private company. If it is not well-conducted, Government have to recover their dues. We are no longer interested in the working of the Rubber Factory. It is a private concern. Whether it closes its doors or continues its work is not the primary concern of the Government except from the general point of view. If it is not well run, it means that the men in charge of the concern are not business-like. If the Rubber Factory closes its business, Government will exercise its powers under the agreement by taking back the factory and giving it to some other agency which can run it well.

So far the Sugar Factory is concerned, the previous failure was due to Government running the industry as a Government Department. Now it has gone to sound hands and within the first year of its working it is going to yield a dividend. This has been the policy of Government. In matters which are natural monopolies,—timber resources, mineral resources, electrical resources and things of that kind, Government has to rum them as nationalised enterprises. That is the only way in which natural monopolies, bounties of nature, can be administered. In regard to industrial and commercial enterprises, Government departments cannot function adequately. They cannot pay commissions and cannot spend large sums on advertisements and pushing their wares. Many expedients are necessary for commercial success and therefore, Government departments are unfitted to run commercial items. That question was considered not only by this Government, but many other Government has been faced with the consideration of similar problems. Whenever any Government has tried to run a commercial concern as a profit making concern and as a Government department then success was not sure. A distinction has to be drawn between purely

[President.]

profit making concerns like rubber, soap and other things and the administration of monopolies. The only case on the border line is that of transport. With regard to that, opinions in the world have changed. At one time it was held that in the case of railways and motor transport, private concerns could run then without reference to the state. England and especially America today furnish conspicuous examples of railways being run by Joint Stock Companies. It was gradually found that these transport organisations, railway organisations and motor organisations led to exaggerated profit making on the part of a few to the detriment of public safety and convenience and of the public exchequer. Therefore world opinion has largely changed and today transport is considered in common with electricity and water as one of the natural monopolies and it is the duty and right of the State to handle and administer it. These are the ideals with which the state is working out its schemes. In the pursuit of these ideals, it is the ardent desire of Government that all sections of the community should work together not in a spirit of carping and frivolous, partisanship, but in a spirit of comradeship, union and good will.

The House will now rise and meet again tomorrow at 11, o' clock.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XII - NUMBER 3.

THIRD SESSION—1938/1113—14

Tuesday, the 9th August 1938/25th Karkatakam 1113.

The Council met in the Victoria Jubilee Town Hall at eleven of the clock with Sachivottama Sir C. P. Ramaswamy Aiyar, K. C. I. E., the Dewan-President in the Chair.

MEMBER SWORN.

The following member took the oath and signed the Rolls.

Dr. M. K. Gopala Pillai (*Director of Public Health*).

QUESTIONS AND ANSWERS.

The State Transport Buses.

13. ***Mr. Nedumangad R. Kesavan Nair** (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to state:

(*a*) Whether the State Transport Department is exempted from the Motor Vehicles Regulation;

(*b*) whether overloads are allowed to be carried in the Transport buses;

(*c*) the seating capacity of a Transport bus;

(*d*) whether the Transport buses are at present having G permits and T. V. R. numbers;

(*e*) whether the Police Traffic Department is having any scrutiny over the State Transport, and, if so, whether their powers are in any way restricted;

(*f*) whether the Transport buses are duly registered and subjected to all the incidence of private buses plying for hire; and

[Mr. Nedumangad R. Kesavan Nair.]

(*g*) whether all the tolls levied on private buses plying for hire are levied on the Transport buses as well ?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*):

(*a*) The Motor Vehicles Regulation is generally applicable to the vehicles of the State Transport Department.

(*b*) No.

(*c*) Twenty-three sitting and five standing.

(*d*) Transport buses are exempted from the necessity of having G permits.

(*e*) No.

(*f*) Steps are in progress for the registration of the buses but they are not subjected to all the incidence of private buses plying for hire.

(*g*) Yes.

Mr. Nedumangad R. Kesavan Nair: May I know which are the clauses of the Motor Vehicles Regulation from which the Transport buses are exempted ?

Mr. M. Govinda Pillai: There are several clauses from which the Transport buses have been exempted. But I shall cite one or two instances. The Police Department need not check nor conduct half-yearly inspection of the Transport buses. G permits need not be issued nor should the Police Department issue licenses to the conductors.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are aware that overloads are taken in all the Transport buses.

Mr. M. Govinda Pillai: The Government are not aware of such a circumstance, nor have complaints been made to Government about it.

Mr. Nedumangad R. Kesavan Nair: May I know who checks overloads ? Is it the Traffic Department ?

Mr. M. Govinda Pillai: The Traffic Department, as I have already said, Sir, has nothing to do with Transport buses.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Traffic Department is authorised to charge Transport buses provided they are found to contain overloads ?

Mr. M. Govinda Pillai: I have already said that the Transport buses have been exempted generally from certain specific provisions under the Motor Vehicles Regulation and one of them is that the Police Department need not exercise any control over those buses.

Mr. Nedumangad R. Kesavan Nair: So, am I to understand that, even if there are overloads in the Transport buses, the Traffic Department is not allowed to take notice of them?

Mr. M. Govinda Pillai: The Government would take very drastic action if their attention has been drawn to such cases of infringement of rules.

Mr. Nedumangad R. Kesavan Nair: May I take it that the Traffic Department has no control over the Transport buses in case of overload?

Mr. M. Govinda Pillai: No, Sir.

Mr. Nedumangad R. Kesavan Nair: Are not the seats in the Transport buses intended for seating the passengers? Are there not standing passengers as well in the Transport buses?

Mr. M. Govinda Pillai: Honourable members who have used the buses can very well appreciate the allotment of seats for the use of passengers who stand.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are aware that the passengers standing in the buses in the pathways cause considerable inconvenience to the passengers who are seated in the buses?

Mr. M. Govinda Pillai: It has not been brought to the notice of Government that serious inconvenience is caused on that account to the passengers.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Transport buses have T. V. R. numbers so that the public could identify the buses?

Mr. M. Govinda Pillai: The granting of T. V. R. numbers is under correspondence with the Commissioner of Police. I understand from the Commissioner that the T. V. R. numbers will be issued to the Transport Superintendent without delay.

Mr. Nedumangad R. Kesavan Nair: Is it not necessary that those numbers should appear in such a way as to be identified by the public?

Mr. M. Govinda Pillai: At present there are distinguishing numbers assigned to Transport buses and the public can easily distinguish between one bus and another.

Mr. Nedumangad R. Kesavan Nair: May I know whether the C. P. numbers are made in the buses so that one bus may be identified from the other?

Mr. M. Govinda Pillai: Yes, Sir.

Mr. Nedumangad R. Kesavan Nair: With reference to the answer to part (g), may I know whether the Transport buses have to pay Municipal fees?

Mr. M. Govinda Pillai : No, Sir.

Mr. Nedumangad R. Kesavan Nair : May I know whether the buses are registered under the Municipal Regulation ?

Mr. M. Govinda Pillai : They are Government buses and, as such, are exempted from registration.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli Kartikapalli and Ambalapuzha* cum *Shertalla*) : May I know whether it is legal to exempt anybody from the operation of the Municipal Regulation ?

Mr. M. Govinda Pillai : I believe Government property is exempt from the payment of such fees.

Mr. Kochikal P. Balakrishnan Tampi : Have the Government taken legal advice in regard to the matter ?

President : Question No. 14 please.

Complaints re *the capacity of the pattapara of the Trippunittura Devaswom.*

14. ***Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*) : Will the Government be pleased to state :

(*a*) whether they have received resolutions passed by a public meeting held on the 1st of Kumbham 1113 in the Vatayampady V. P. grant-in-aid school under the presidency of the Rev. Father T. J. Gheevarughese and a memorandum prepared in accordance with the resolutions referred to above ;

(*b*) whether these resolutions and memorandum forwarded to the Government by the Rev. Father Gheevarughese relate to the complaints of the people of Vatayampady, Veloor and other places with regard to the capacity of the *pattapara* (പാട്ടപ്പറ) of the Trippunittura Devaswom belonging to the Cochin State ;

(*c*) whether the capacity of the *pattapara* referred to in a part (*b*) has already been fixed to be $13\frac{5}{8}$ idamgazhies as per standard measure :

(*d*) whether any attempt is being made by the Jenmikaram Settlement Office to change its capacity to a higher rate than $13\frac{5}{8}$ idamgazhies ;

(*e*) whether the capacity of the *pattapara* referred to above has been described to be 15 idamgazhies as per the *agrasala* measure ;

(*f*) whether 15 idamgazhies *agrasala* is equal to 12 idamgazhies as per standard measure ;

(*g*) whether the Trippunittura Devaswom claims to possess many *patta paras* of different capacities ;

(*h*) whether the Advocate-General and the State Jenmikaram Settlement Officer have passed any orders as referred to in the resolutions sent to the Government with respect to the capacity of the *pattapara* ;

(*i*) whether any action has been taken on these resolutions and memorandum ; and

(*j*) if any final orders have been passed on them, what the orders are ?

Mr. K. George (*Land Revenue and Income Tax Commissioner*) :

(*a*) Yes.

(*b*) Yes.

(*c*) The taluk Jenmikaram Settlement Officer, Kunnatnad, found on evidence that the Devaswom *patta para* was equal to the standard *para* plus 3⅝ idamgazhies and he decided the cases accordingly wherein evidence was forthcoming.

(*d*) No.

(*e*) In some of the Kanom deeds, the Devaswom *patta para* is described as equivalent to 15 idamgazhies as per *agrasala para*, whereas in some others the same *patta para* is stated to be equivalent to 15 idamgazhies as per *Mudrapara*. But on evidence, it was found to be equal to 13⅝ idamgazhies as per the standard *para*.

(*f*) It is only a rule of presumption or rule of evidence that 15 idamgazhies as per *agrasala para* will be equal to 12 idamgazhies as per standard *para*.

(*g*) There is no information.

(*h*) No.

(*i*) Yes.

(*j*) Government gave an endorsement to the petitioners in their D. Dis. No. 896/38/Rev., dated 26-5-38, to the effect that the Trippunittura Devaswom *patta para* was considered as equivalent to the standard *para* plus 3⅝ idamgazhies in the Jenmikaram Settlement cases so far decided and that if any decision is found otherwise, the aggrieved party could seek remedy by preferring appeal or revision, as the case may be, under the rules.

Mr. N. V. Chacko : With reference to the answer to part (*e*), may I know how it is that the Devaswom *patta para* is considered as equivalent to 15 idamgazhies as per *agrasala para* and equivalent to 15 idamgazhies as per *Mūdrapara* ?

Mr. K. George : That is in the document.

Mr. N. V. Chacko : May I know whether the *agrasala para* and *Mudrapara* are of the same capacity ?

Mr. K. George: *Agrasala para* is said to be a *para* measure of 640 cubic inches. What is actually intended in a document is a matter to be decided on evidence.

Mr. N. V. Chacko; May I know whether the matter has not come up for decision ?

Mr. K. George: Apparently, no.

Mr. V. S. Arumukham Pillai (*Tovala cum Agastisvaram*): Are not the *agrasala para* and *Venkata para* one and the same ?

Mr. K. George: The member speaks of some other *para*.

Mr. G. Narayana Aiyar (*Parur, Kunnatnad* and *Muvattupuzha cum Devicolam*): May I know whether the *agrasala para* that was in existence before the Weights and Measures Regulation was passed, is in existence in Travancore at present.

Mr. K. George: The standard *para* is the recognised one in Travancore.

Mr. G. Narayana Aiyar: May I know whether there is difference in capacity between the *paras* that is recognised to be *agrasala para* and the standard *para* that was brought into existence after the Weights and Measures Regulation was passed ?

Mr. K. George: I do not quite follow the member.

Mr. G. Narayana Aiyar: May I know whether there is any difference in the *para* maintained by the Government before and after the Weights and Measures Regulation was passed ?

Mr. K. George: That requires an investigation as to what kind of *para* was used by Government for receiving their dues. I have no information at present in the matter.

Mr. G. Narayana Aiyar: May I know whether the Government have not recognised the standard *para* and *agrasala para* as equal in capacity by their order published in the Gazette dated 12-10-1072 *i. e.*, after the Jenmy Kudiyan Regulation V of 1071 was passed ?

Mr. K. George: The Government order was to the effect that, ordinarily, *agrasala para* should be treated as a *para* measuring 640 cubic inches. That order of Government is in vogue even now.

Extension of Service to Mr. H. C. Chopra.

15. ***Mr. Nedumangad R. Kesavan Nair:** Will the Government be pleased to state :

(*a*) whether any extension of service is granted to Mr. H. C. Chopra, Electrical Executive Engineer, over and above the period for which he was first appointed ;

(*b*) if the answer to the above question is in the affirmative, the period for which such extension is granted : and

(*c*) the date on which Government ordered the extension of his service, if any ?

Mr. K. P. Padmanabha Menon (*Electrical Engineer to Government*) : (*a*) Mr. H. C. Chopra was appointed as a temporary Executive Engineer for a period of 3 years and he took charge of the Trivandrum Electric Supply on 8-6-1110. Before the expiry of three years, he was made permanent with effect from the 1st Chingom 1113.

(*b*) and (*c*) In view of the answer to part (*a*), these questions do not arise.

Mr. Nedumangad R. Kesavan Nair : May I know when orders were issued for confirming Mr. Chopra ?

Mr. K. P. Padmanabha Menon : I believe it was early this year.

Capacity of the Agrasala para.

16. ***Mr. N. V. Chacko** ; Will the Government be pleased to state :

(*a*) the capacity of the *agrasala para*.

(*b*) whether any order has been passed fixing the capacity of the *agrasala para* ;

(*c*) if so, the number and date of the order or circular or whatever else it may be called ; and

(*d*) whether the officers of the Judicial, Revenue, Registration, Jenmikaram Settlement and other departments have been informed of the capacity of the *agrasala para* as fixed by the Government ?

Mr. K. George : (*a*) The *agrasla para* is ordinarily presumed to be a measure of 640 cubic inches.

(*b*) The Government have ordered that, as a rule of presumption or a rule of evidence, the *agrasala para* may be considered to be a measure of 640 cubic inches and that it is open to the parties in any particular case to prove that the *para* measure in that case is of a particular capacity.

(*c*) G. O. No. 179/36/Rev., dated 4-2-1936.

(*d*) This was circulated to the Division Peishkars and Tahsildars for guidance in the settlement of jenmikaram.

Mr. N. V. Chacko : May I know whether the G. O. referred to can be placed on the table for reference ?

Mr. K George : It will be more convenient if the honourable member is given access to that copy by myself.

Supply of medicines for hospitals and dispensaries.

17. ***Mr. N. V. Chacko**: Will the Government be pleased to state :

(*a*) whether they are aware that most of the hospitals and dispensaries belonging to the Government in the taluks of Parur, Kunnanad, Muvattupuzha and Devicolam are not supplied with sufficient quantity of useful and necessary medicines ;

(*b*) whether they are aware that most of the hospitals and dispensaries referred to in part (*a*) did not in the months of Chingom and Kanni 1113 possess medicines which are daily needed ; and

(*c*) the causes for such a condition ?

Mr. K. P. Raman Pillai (*Ag. Surgeon-General*): (*a*) No.

(*b*) No.

(*c*) In view of the answers to parts (*a*) and (*b*), this does not arise.

Mr. N. V. Chacko: May I know whether it is to be understood that the Government have no information about the actual condition of the hospitals referred to in the question ?

Mr. K. P. Raman Pillai: The Government are not aware that they were not supplied with necessary medicines.

Road Leading from the Kuriapalli road to Munambam.

18. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state :

(*a*) the length of the road, leading from the Kuriapalli road to Munambam in Parur taluk;

(*b*) the number of passengers including school students that pass and repass that road daily ;

(*c*) the number of culverts in the same and their present position and safety;

(*d*) whether that road is under water even in summer during high tide;

(*e*) whether they have received memorials from the inhabitants of Vatakkekara pakuthi in Parur taluk to raise the level of that road and for putting up culverts in the same ; and

(*f*) when such memorials were received and what action has been taken by the Government in that matter ?

Mr. G. B. E. Truscott (*Chief Engineer, Roads Buildings and Irrigation*): (*a*) about 2¼ miles up to Munambam ferry.

(*b*) About 200 students and about 500 persons on market days.

(*c*) Six culverts. All these are now in sound condition to withstand pedestrian traffic.

(*d*) Yes.

(e) Yes.

(f) In July 1937 and March 1938. The culverts have been repaired and an estimate for other improvements to the road is under preparation.

Mr. G. Narayana Aiyar : With reference to the answer to part (a), may I know, what is the width of that road ?

Mr. G. B. E. Truscott : It is a village road about 10 feet wide.

Mr. G. Narayana Aiyar : May I know whether it is a metalled road or an ordinary road ?

Mr. G. B. E. Truscott : I do not think it is a metalled road.

Mr. G. Narayana Aiyar : May I know whether the inhabitants of the Vadakkekara pakuthi has any other means of access other than this, to go to Munambam?

Mr. G. B. E. Truscott : I do not know.

Mr. G Narayana Aiyar : It is stated in the answer that the road is under water even in summar during high tide. May I know how many feet of water will there be in such a situation?

Mr. G. B. E. Truscott : Between 1 foot and 2 feet.

Mr. G. Narayana Aiyar : May I know whether the Chief Engineer has on any occasion visited that road ?

Mr. G. B. E. Truscott : No, Sir.

Mr. G. Narayana Aiyar : May I know, what will be the expense necessary to raise the road so that it may not be under water even during high tide ?

Mr. G. B. E. Truscott : It will cost about Rs. 11,500– But the people refused to surrender a portion of their lands for the construction of that road.

Jenmikaram settlement registers.

19. ***Mr. G. Narayana Aiyar :** Will the Government be pleased to state:

(a) whether they have completed preparation of jenmikaram settlement registers in the whole State ;

(b) if the answer to part (a) is in the negative, what is the extent of the work to be finished and the reasons for the delay and the time required for completing the same;

(c) whether they have appointed a committee under the provisions of Section 46 of the Jenmi and Kudiyan Amendment Regulation for ascertaining the price of commodities after 1110, and if not, what is the reason for the delay and who is responsible for the same;

(d) whether the price of commodities has risen since the first committee submitted their reports ; and

[Mr. G. Narayana Aiyar.]

(c) when the first committee was appointed and when that committee submitted the report ?

Mr. K. George : (a) No. The register of jenmikarams has been prepared for 20 pakuthies in the taluks of Tovala, Agastisvaram, Kalkulam, Karunagapally, Kartikapally, Kunnattur and Pattanapuram.

(b) The following are the important items of work that remain to be done before the preparation of the register of jenmikarams is taken up in respect of the remaining pakuthies:—

1. 2763 jenmikaram cases pending disposal on 1-11-1113 have to be disposed of.

2. 2487 cases pending in the offices of the Division Peishkars have to be disposed of after necessary orders in revision.

3 42 revision cases are pending disposal in the office of the state Jenmikaram Settlement Officer.

4. The lists of Jenmies and Kudiyans arranged in alphabetical order have to be prepared for 25 pakuthies.

5. Out of the lists of 347 pakuthies prepared, the lists of 38 pakuthies are pending verification with the pakuthi accounts.

6. Correction of the names of Kudiyans has to be effected in accordance with the instructions issued by the Government in their R. Dis. No. 2281/37/Rev., dated 27-11-1937, in the lists of 327 pakuthies.

7. 4952 cases transferred from the Jenmikaram Section are pending disposal in the Karampathippu Section. It is likely that some of those cases may come back for the settlement of jenmikaram on the basis of documents produced by the parties in the course of the Karampathippu enquiry to show that the properties are outstanding on Kanom.

8. Steps have to be taken after verification of the pre-settlement records, for the change of tenure of the jenmom lands wrongly recorded as 'Pandaravaga Kudijenmom' at the last Settlement.

9. The mistakes in the decision and in the procedure followed pointed out by the checking officers and the inspecting officers have to be rectified.

Every endeavour is being made to expedite the above items of work.

One year more will be required for the preparation and completion of the register of jenmikarams.

(c) There was no appreciable rise in the price of commodities forming part of jenmikaram to necessitate the appointment of a committee before. Government have sanctioned the appointment of committees to function from the beginning of 1114.

(*d*) There was some rise in the price, but it was not appreciable.

(*e*) The first committee was appointed in 1110, *vide* notification. C. No. 739/33/Rev., published in the Gazette, dated 9-12-1109.

There were three committees, one for each of the Divisions of Trivandrum, Quilon and Kottayam and the reports of the committees were submitted to Government on 7-3-1935, 19-3-1935 and 1-4-1935, respectively.

Mr. G. Narayana Aiyar : In ascertaining whether a land is jenmom or not by the Jenmikaram Settlement Officers, may I know whether that descision was arrived at merely on the reliance of statements in settlement records or of the admission of the parties concerned in the registered documents ?

Mr. K. George: The Settlement Officers relied also on the admission of parties.

Mr. G. Narayana Aiyar: When there is a conflict between the admission of the party and the statements in the settlement records, may I know, what formed the basis for determining that a particular land is jenmom?

Mr. K. George: Both the document and the admission of the party were taken into consideration in determining whether a land is jenmom or not.

Mr. G. Narayana Aiyar: To ascertain whether the land is jenmom or not may I know whether agreements between the parties admitting the land to be jenmom have been taken into consideration by the jenmikaram settlement Officers ?

Mr. K. George: The settlement was effected after perusal of the records and in consultation with the parties by the Settlement Officers.

Mr. G. Narayana Aiyar: If the admission of parties is not found to tally with the statement in the settlement register, may I know whether the Settlement Officer will conduct any other enquiry to ascertain whether a land is actually jenmom or not ?

Mr. K. George: When there is a conflict between two sets of documents, an independent enquiry is made into the matter?

Mr. G. Narayana Aiyar: What will be the nature of such an enquiry and its scope.

Mr. K. George: That is a hypothetical question. I have not come across any decision made by Settlement Officers when there is a conflict between the admission of the parties and the settlement register.

Mr. G. Narayana Aiyar : May I know whether it is useful to rely on the admission of the parties alone and determine a land as jenmom on that assurance

Mr. K. George: It is not a live question now. The settlement is nearly complete.

Mr. N. V. Chacko: May I know whether there are kanom properties which are not found in the Sirkar records?

Mr. K. George: There may be cases of that kind. In such cases, as I said before, we refer to the pre-settlement records.

Revenue sales in Parur, Kunnatnad and Muvattupuzha taluks.

20. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of revenue sales that had to be stopped for want of bidders in the taluks of Parur, Kunnatnad and Muvattupuzha in the year 1112; and

(*b*) the reasons for the same?

Mr. K. George: (*a*) Parur 45
Kunnatnad 59
Muvattupuzha 4.

(*b*) The sales had to be stopped owing to inadequacy of the extent notified for sale, existence of prior encumbrances on the land etc.

Mr. G. Narayana Aiyar: May I know from the member whether it is not a fact that the difficulty, delay and waste experienced in getting sannads of revenue sales and in getting delivery of properties thus purchased, are the chief factors that stand in the way of the public going in for purchase in revenue sales.

Mr. K. George: I do not subscribe to that view.

Converting into a cartable road the pathway between Puthenkurisu and Puthenchunkam.

21. ***Mr. N. V. Chacko**: Will the Government be pleased to state whether their attention has been drawn to the importance of converting into a cartable road the way from Puthenkurisu to Puthenchunkam in the Kunnatnad taluk?

Mr. G. B. E. Truscott: Yes.

Mr. N. V. Chacko: May I know whether the importance of the road in connection with the Cochin Harbour has been brought to the notice of Government?

Mr. G. B. E. Truscott: There are a good number of such roads which are important in connection with the Cochin Harbour. I cannot now say whether this road is one of them.

The foundation of the new Power House at Pallivasal.

22. **Mr. N. V. Chacko**: Will the Government be pleased to state :

(*a*) the depth below the surface of the earth of the rock on which the new foundation of the Power House at Pallivasal is laid ; and

(*b*) the distance of that foundation from the first one which had to be discarded ?

Mr. G. B. E. Truscott: (*a*) The depths below the surface of the earth of the rock on which the new foundation of the Power House at Pallivasal is laid are 28' and 42' at the two corners of the first end, and 10' and 12' at the rear end.

(*b*) $1\frac{1}{2}$ furlongs.

Mr. N. V. Chacko: May I know whether this particular site has been discovered as a result of the enquiry or by accident?

Mr. G. B. E. Truscott: That was discovered by investigation.

Mr. N. V. Chacko: May I know whether investigations were made before to find out a suitable way of accommodation for the new power house ?

Mr. G. B. E. Truscott: Not, that I am aware of.

Women and Children's hospitals in Kottayam Division.

23. ***Mr. N. V. Chacko**: Will the Government be pleased to state how many hospitals for women and children are there in the Kottayam Division of the Travancore State ?

Mr. K. P. Raman Pillai: There are no hospitals in the Kottayam Division exclusively set apart for women and children. But there are lady doctors attached to the District Hospitals at Kottayam and Parur.

Mr. T. Muhammed Ismail (*Nominated*) : May I know the reason why lady doctors were not appointed in certain hospitals?

Mr. K. P. Raman Pillai: There was no sufficient demand for the same.

Mr. T. Muhammed Ismail: May I know whether the member is aware that more than half the population of the State consists of females ?

Mr. K. P. Raman Pillai: Yes.

Mr. T. Muhammed Ismail: Then, may I know why the Government have not considered the necessity for appointing lady doctors in all the hospitals of the State ?

Mr. K. P. Raman Pillai: Women generally do not object to being treated by men doctors. Wherever lady doctors are found necessary they are being appointed.

Mr. N. V. Chacko: May I know whether there is any hospital for women and children in north Travancore?

Mr. K. P. Raman Pillai: No.

Mr. N. V. Chacko: May I know the reason why?

Mr. K. P. Raman Pillai: There was no urgent necessity for the same.

Mr. R. V. Thomas: What has become of the redistribution of hospitals in general and of women and children's hospital in particular in north Travancore?

Mr. K. P. Raman Pillai: It is to be considered along with the reorganisation scheme of hospitals in the State:

Mr. P. Balakrishnan Tampi: Are there not many women going to General Hospital though there is a women and children's hospital.

Mr. K. P. Raman Pillai: Yes.

Mr. Nedumangad R. Kesavan Nair: How is it that the women do not go in larger numbers to the General Hospital?

Mr. K. P. Raman Pillai: There is a separate hospital for women and children and yet many women go to General Hospital.

Covenant entered into with the Transport Superintendent.

24. ***Mr. T. Muhammed Ismail:** Will the Government be pleased to lay on the table a copy of the covenant entered into with Mr. Salter, Superintendent, State Transport?

Mr. M. Govinda Pillai: The member is referred to pages 505 and 506 of the latest Civil List corrected up to the 1st Edavam 1113, wherein the contents of the covenant are given.

Mr. T. Muhammed Ismail: May I know whether it is the practice to refer the member to other documents when answering a question?

President: Yes. It is allowed.

Mr. T. Muhammed Ismail: Is there any stipulation that the Transport Superintendent will be given a portion of the gain realised in the Transport Scheme?

Mr. M. Govinda Pillai: Yes, Sir. There is a stipulation in the covenant that he will be paid 5 per cent of the net profits if that exceeds 7½ per cent after deducting depreciation charges.

Mr. T. Muhammed Ismail: Is it over and above his pay and allowance?

Mr. M. Govinda Pillai: Yes, Sir.

Mr. T. Muhammed Ismail; Is there any other officer who is given such a concession?

Mr. M. Govinda Pillai: He is not an officer in the ordinary sense and he is in charge of a Commercial Department and brought down for that special purpose.

Mr. T. Muhammed Ismail; May I know whether there are not other commercial departments in the State?

Mr. M. Govinda Pillai: I do not think that there is any other department of Government like the Transport Department which is reckoned as commercial.

ADJOURNMENT MOTION.

President: I have received notice of an adjournment motion from Mr. K. M. Korah which reads thus:—

> "I intend moving for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely the serious situation created by the pronouncement made in the Council yesterday, by the Secretary to Government and the Dewan that the Travancore State Congress, in view of the alleged propaganda by that body, questioning the soundness of the finances of the State, charging the Head of the Administration with corruption, and creating a run on the Anchal Savings Bank, is disloyal and subversive.

Now it will be remembered that yesterday morning there was a motion for adjournment of the business of the House. It will be also remembered that I gave time for the discussion and I asked the House to take it up for consideration at 3-30 P. M. Then it was pointed out by one honourable member that the discussion would infringe upon the time for the general discussion of the budget and the honourable member, the mover of the motion, withdrew it. Now the question itself was discussed at great length yesterday in the course of the general discussion. More than one honourable member referred to the views of the Government, the statement of the Chief Secretary, and the statement of the head of the administration, that the activities of certain members of the State Congress were disloyal and subversive. It is well known that so far as motions for adjournment are concerned, no such motion can be dealt with on a matter which has already been discussed in the same session. On that, precedents are clear. It has been ruled before that the proposal to revive discussion on a matter which has already been discussed need not be complied with. The decision is the same in England also.

"........May's Parliamentary Practice adverts to matters already discussed during the current session, whether upon a previous motion for adjournment, upon a substantive motion, upon an amendment, or upon an order of the day."

As it has been difinitely ruled that no motion must revive a discussion on a matter which has already been discussed in the same session as is laid down under Rule 21 (3), this adjournment motion is not permissible. Moreover, no motion for adjournment on a matter on which, as I have said elsewhere and I wish to repeat—all the materials cannot be placed before the House cannot be discussed. Government have difinite information regarding the activities of the State Congress both within and outside and it was with reference to such materials that the Government came to a certain conclusion which was adumberated in that statement. Under the preceding grounds and also on the ground of detriment to public interest I rule the motion out of order.

Mr. K. K. Kuruvila (*Mavelikara and Tiruvalla* cum *Pattanamthitta*) ; Sir, will you kindly allow me to make a statement ?

President ; Certainly.

Mr. K. K. Kuruvilla : We have been told yesterday that the activities of the State Congress are subversive and disloyal. I think the Secretary to Government has given three reasons.

President : The honourable member cannot discuss on that matter. You cannot make a statement on which discussion has been forbidden. If you want to make a personal explanation, you may do so.

Mr. K. K. Kuruvilla : I want to make a personal statement. This subject has been discussed so often that I do not want to raise it again. But I want to present before you, Sir, and the House that there are certain reaction in the case of individuals to things that happen in the State.

President : I do not want to curtail any freedom of discussion in the House provided that discussion is permissible under the Rules. It is open to any honourable member to make a personal statement, and under prescribed conditions members have the right to move for the modification of our Standing Order, move a resolution, an adjournment motion for the purpose of raising a certain matter of importance, questions can be put, legislation can be introduced and certain matters can be raised during the discussion of the budget. Apart from that, no other business is permissible in the House. I have already ruled that the question which was discussed yesterday cannot be revived in the form of an adjournment motion. Therefore, if the honourable member wishes to revive discussion on this question of the attitude of the Government with regard to the State Congress, he cannot do so. Subject to this restriction, and

nowing the honourable member as I do, and knowing that he will eep himself within the proper limits, if he wishes to make a personal statement he will be at liberty to do so.

Mr. K. K. Kuruvilla: It is perfectly personal. I shall be glad to do so.

A man does not join a movement without taking much time to think over it. I was rather surprised to hear that this movement with which I am associated, has been doing things underhand. I understand from the Secretary's statement that some secret manoeuvres are being engineered for the purpose of bringing the Government into discredit. I want to deny that statement. I want to assure you, Sir, that the party to which I belong desires to be honest, to be considered open in every thing they say and do. If we want to say anything against you or the Government, we will say it openly and plainly with the consciousness that straight statements, honest statementts will be appreciated by you. I feel that the statement that this organisation.............

President: The honourable member will realise that in the statement that I have made, and—I believe—in the statement made by the Chief Secretary and Mr. Govinda Pillai, it was definitely said that the activities that were condemned by Government were the activities of members of the State Congress purporting to act on behalf and in name of the State Congress. The activities of the State Congress have been characterised in a particular manner. No name has yet been mentioned and therefore the honourable member need not, unless he thinks that it is necessary to mention any name, refer to any particular names. So far as the honourable member is concerned, as evidently he is a new recruit to that body called the State Congress, the question of the honourable member being personally responsible or charged with these things does not arise so far as the Government are aware. But if the honourable member wants to make a personal statement he can do so.

Mr. K. K. Kuruvilla: It is rather difficult to separate the personal from the general. So I do not wish to press it. But I hope I will get a chance to talk to you, Sir, personally about these things.

President: I thank the honourable member for the statement that has been made and for the assurance that he has given, which coming as it does from him,—I underline the word *him*—I am willing to accept at its face value. I am glad to be assured by Mr. Kuruvilla that if there is any charge that he has to make against the Government or against the head of the administration that will be made openly. At the same time, as is well known, statements made outside the House against the head of the administration or the administration are subject to the law of sedition,

[President]
which applies to the Government of His Highness. The honourable member knows well how to speak subject to that restriction. I did not expect any other statement from Mr. Kuruvilla. It is however due to him to assert that the statement that was made by the Government and on behalf of the Government with regard to the members of the State Congress still Subsists.

Mr. N. V. Chacko: Sir, on a point of information—

President: Is it a point of order?

Mr. N. V. Chacko: It is a point for information. If on a day for the general discussion of the budget, time is granted for discussing an adjournment motion, will such time be granted on another day for the general discussion of the budget? I do not know what the precedent is.

President: There is no adjournment motion coming on and so the question does not arise. The adjournment motion has been overruled.

Mr. N. V. Chacko: Probably, I did not make myself clear. Yesterday the adjournment motion was withdrawn because it was made to understand that no other time will be granted for the general discussion of the budget.

President: It is the law. Rule 74 (2) lays down:—

> "On a day to be appointed by the Dewan subsequent to the day on which the budget is presented and for such time as the Dewan may allot for this purpose the Council shall be at liberty to discuss the budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall any member be entitled to divide the Council in respect of any such discussion on the budget."

If that day is spent for other purposes, then no further time will be allowed for general discussion. Similarly in the case of other days also not more than four days shall be allowed for the voting of demands. That is the law. It is not a question of precedents.

The House will now begin the discussion on the demands for grants.

VOTING OF DEMANDS FOR GRANTS.

DEMAND I—LAND REVENUE & TAXES ON INCOME.

Mr. K. George: Sir, I rise to move for a grant of Rs. 10,54,613 under Demand I—Land Revenue and Taxes on Income.

Mr. M K. Ananthasiva Aiyar (*Nominated*): I rise to oppose the motion. The action of the Government in granting concession in Tax is really praiseworthy and the people are very thankful to the Government for the same. But it is a pity that

some restrictions have been placed in its application. The remission of tax applies only to the arrears at the end of the year. It is a well-known fact as may be judged from the Government Gazette of the months of Mithunam and Karkadakom of this year that the revenue authorities have taken greater pains to see that there are no arrears at the end of the year.

I am inclined to think that more than 95 per cent. of the tax has now been realised. I know as a matter of fact that in many cases the amounts have been realised by actual sales of land. It will only be just that the Government extend the concessions to all pattadars. In regard to those who have already paid the tax credit may be given of the excess amount paid towards their dues for the year 1114.

In regard to Kandukrishi taxation I would appeal to Government to grant them some concession and extension of time for payment.

President : The honourable member will remember that according to my ruling only 10 minutes are allotted for each member.

Mr. M. K. Ananthasiva Aiyar : Another point I may submit for the consideration of Government is about the Government order regarding the taxation on Kandukrishi paddy lands that have been converted into garden lands. This has been the subject of very great grievance to a good number of Kandukrishi tenants.

Kuttanad is a water-logged area and with the increase in population the necessity for more dwelling houses arises. It is mostly for this purpose that the paddy lands which are Kandukrishi holdings are being converted into garden lands. This conversion is being done at enormous cost and costly houses are put up thereon. It is on the firm belief and conviction that so long as they pay the *pattom* they will not be disturbed from possession that they ventured to spend such huge amounts on the lands. This conversion has only improved the land. Any additional income that the ryot may get from the cocoanut trees planted in the converted area will be insignificant when compared with the expenditure incurred for conversion. If the Government are not kind enough to cancel the order above referred to, I fear many of the tenants will be rendered homeless. I request the Government will consider this question in all its seriousness.

Coming to income tax, I have to make a few observations. For income tax purposes, the commutation rate for income in the shape of paddy for 1113 has been fixed as 14 chs. per *para*. This is clearly 2 chs. above the rate fixed by Government for Kandukrishi taxation purposes. I would request that the rate should be on a par with that fixed for Kandukrishi purposes in so far as the Ambalapuzha, Changanachery and Kottayam taluks are concerned.

[M. K. Ananthasiva Aiyar.]

Sir, before I conclude I wish to make a few remarks on markets. It seems the Government are pursuing the policy of not allowing the opening of private markets as far as possible. The opening of markets in rural areas are conducive to the material prosperity of such areas. I think that it is necessary that Government should give every inducement for the opening of private markets, wherever Government could not open public markets. As a general case it will be well that the experimental stage of the conduct of the market is in the hands of private persons.

Kuttanad proper comprises the water-bound area coming within the jurisdiction of Ambalapuzha, Changanachery and Kottayam taluks. The condition of the people living in the Kuttanad portion of the above taluks and their requirements are quite different from those of the people in other parts. The people of Kuttanad have been praying to Government for Kuttanad being formed into a separate taluk. I impress upon the Government this aspect of the matter so that they might consider it in all seriousness.

There is already a complaint that public expenditure is increasing year by year. It is the duty of the Government to see that such expenditure is brought down. Yesterday, when dealing with the general discussion of the budget, the honourable member, Mr. Ismail, suggested that the post of the Devicolam Commissioner may very well be abolished and that the two taluks of Devicolam and Peermade may be joined with the Kottayam Division. I join hands with Mr. Ismail in saying that the place of the Devicolam Commissioner may be abolished. If the Government think that the Devicolam Commissioner is an absolute necessity, I would suggest that he may be entrusted with the work of the Game Warden. Then there may not be necessity of a separate officer as game warden and Government may make a saving.

Mr. G. Narayana Aiyar: Sir, I also oppose the demand. In doing so, I agree with the previous speaker in saying that the G. O. granting remission of tax for the current year should be more liberally construed and applied. Many people have paid tax for the current year suffering considerable difficulty and hardships only because of their loyalty to the Government. That those who paid the tax in time even at great risk should be deprived of the benefit of the concession is very hard. To do so would be setting up a premium for non payment in future. I therefore request that Government may consider this matter in all seriousness and extend the benefit of the concession to those who have already paid tax.

With regard to income tax, as was represented by my friend, it is very unjust that the Government are directing the Jenmies to accept jenmikaram at the commutation rate of 10 chs. per *para* when the Government are valuing paddy at 12 to 14 chs. for income-tax purposes. Sir, this is unfair. The price of paddy fixed for income-tax purposes is very high and disproportionate to the local current price.

Coming to the question of markets, I may say, that I cannot agree with my learned friend in his statement that the private markets must be encouraged. I would object to that proposal and would request the Government to convert all private markets into public markets. Private markets are a source of much trouble to the public who have to go there. Private markets are also a source of much loss to Government. To illustrate one concrete instance, Sir, there was a private cattle market in Perumbavur till recently. The licensee was till an year ago paying only a nominal amount as license fees. This market was converted into a public market last year and the amount realised in auction last year was Rs. 600. This year the amount realised is Rs. 1,000. This being the case it is not at all advisable to give the right of conducting the markets to private licensees. If these markets are in the hands of private licensees the poor agriculturists who resort to them will be put to much difficulties. At present there are very few proper stalls in the public markets even though income under markets now amount to nearly a lakh of rupees. The poor agriculturists who go to the market with their articles have now to wait in the market compound exposed to sun and rain to the detriment of their health and the quality of the goods they bring. I would particularly request the Land Revenue Commissioner to have suitable stalls built in all the public markets as early as is possible. It is all the more necessary as exposure is liable to the spread of contagious diseases.

Now there is a tendency on the part of the public not to go in for revenue sales because of the heavy loss and difficulties involved in the same. Under the rules in force such purchasers have to be informed by notice to produce stamp papers for sanads. That procedure is seldom observed in some courts. There is no register kept in Taluk offices to enter receipt of stamp papers produced for preparing sanads. Purchasers have to depend upon the good will and honesty of the Taluks clerks to get their sanads. Very often parties have to produce valuable stamp papers on 2 or 3 occasions because when pressed for sanads they are told that there are no stamp papers found. This leads to a good deal of foul play. Such registers are preserved in Munsiff's courts which courts also issue

[Mr. G. Narayana Aiyar.]
sanads. I have heard of Taluk offices where more than 300 applications for sanads are pending long, the parties saying that they have produced stamp papers and the clerks replying that such papers are not to be found. This practice of not keeping a register for receiving stamp papers for sanads has become a source of much loss and complaint to the public at large, so much so that there is a real tendency on the part of the public not to go in for purchase of properties at revenue sales. I had sent an interpellation on this matter. I am sorry to say that it has not been admitted.

President : Does the honourable member say that his interpellation was not tabled ?

Mr. G. Narayana Aiyar : I am glad to say Sir, that it has been admitted but not tabled. In this connection I would bring to the notice of Government another reason why people do not freely go in for purchase in revenue sales. It is this *viz.*, that after a sale is over the formality of signing the sanad is entrusted with the Peishkar though the sanad is prepared by the Tahsildar. This causes great delay. The delay can be avoided if the Tahsildar is given that power of signing sanad. We see that the status of the Tahsildar is equivalent to that of the Munsiff. When the Munsiff is competent to sign the sanad why should there be any difference in the case of a Tahsildar. The Tahsildars are now sending the copy of the sanad to the Division Peishkar for signature and the same is kept there indefinitely causing a lot of delay. So much so, the public have become disgusted with revenue sales. Now they are under the impression that to buy properties in revenue sales is not at all advisable. I trust that the Land Revenue Commissioner will consider these difficulties seriously and find out some remedy as early as is possible.

Then I want to draw the attention of the Land Revenue Commissioner to the serious complaints of the Arayans residing in the *Kadal theerom* at Munambam. These poor people live entirely by fishing. A certain poramboke land in Vadakkekara pakuthi, Munambam kara, was being used by Arayans for fishing purposes from olden days. They had applied for registry of that place in their name. The Land Revenue Commissioner, the Tahsildar, and the Registrar of Co-operative Societies, all recommended for the registry of the plot in the name of the Arayans. These men belong to the backward communities and they are very poor also. Notwithstanding those recommendations, the Government ordered that the trespassers ought to be vacated and the land left free. This order was passed on the 26th of December 1936. Nothing

was done soon after that. It tock nearly one year for the Parur taluk officers to see to the evacuation. With the help of Reserve Police it was finally done. After the evacuation now again the land is trespassed upon by the old trespassers. The Government in their order stated above say that nobody should occupy the land and that it should be left free for the Arayans. But nothing has been done till now to evacuate the trespassers. I request the Land Revenue Commissioner to look into this as early as possible and help the poor Arayans.

Sir, again, in the matter of getting copies from the taluk offices serious difficulties are being experienced by the public.

President: The honourable member has three minutes more.

Mr. G. Narayana Aiyar: Sir, there are certain taluks where the puduval work is very heavy. But in the distribution of staff this additional work is not taken into consideration. Now there is a uniform distribution of staff in all the taluk offices without reference to the work. I would suggest that where there is very heavy work a re-distribution has to be done or else there will be much delay in the disposal of these puduval matters.

Another point that I wish to emphasise in this connection is that there is not sufficient accommodation in the Perumpavur Taluk Treasury office for those who go there to remit money into the treasury. They have to wait for hours in the open air exposed to sun and rain. On an average there will be about 100 to 200 people going to the Treasury daily to make remittances. I would urge the matter of providing sufficient accommodation for these people in the Treasury building for the serious consideration of the Government.

It is also necessary to appoint a Nottakaran in this Treasury because of the heavy work.

With these few words I oppose the demand.

Mr. K.K. Kuruvilla: Sir, every year the Government kindly sanction certain amounts to be given to the agriculturists exclusively. In the year 1112, Rs. 1,50,000 was sanctioned. The Land Revenue Commissioner did not utilise the whole amount. In the course of his report he also says that there are about Rs. 5,24,000 in arrears. The Government sanction the loans for the benefit of the ryots and the departmental heads, out of fear, are very reluctant to issue loans to any people. So the arrears are accumulating. This problem arises not only in this department, but also in most

[Mr. K. K. Kuruvila.]

departments of the State. It is a wonder to me why these departmental officers who ought to be in close touch with the ryots have not discovered any means by which this situation could be remedied. My long experience with co-operative societies makes me feel that one of the causes of arrears is that in most cases loans are not utilised for the purpose for which they are sanctioned. Now, there must be some organisation which will look into the matter and see that these loans are properly utilised. From our long experience we find that the machinery of the Government is not succeeding in this attempt. It is a clear fact that the machinery of the Government has failed. Rs. 5 lakhs and odd are in arrears. I therefore bring to your notice and to the attention of the House that if there is a Pakuthi or Village organisation which is responsible to see that these loans are properly used, then we have a chance that the loans will be supplied for the purpose for which they are asked. I do not see any other way by which this can be done. In a report which I have seen in another Indian State I find that they have an organisation of the kind which I have just now described. They describe the function of these societies as follows ;

"The administrative duties and responsibilities of the Panchayats as contemplated in the Panchayat Regulation which underwent no change during the year under report and they are detailed below :—

(*a*) The construction, repair and maintenance of minor irrigation works denominated chiras, kappus, canals, thodus, etc., and the regulation and distribution of water supply to the lands commanded by such works.

(*b*) Constructing and repairing tanks and wells and such other works as will supply the inhabitants of the area over which the Panchayat has jurisdiction with a wholesome supply of water for drinking, bathing and other purposes.

(*c*) Reservation in tact of all poramboke paths, lanes and canals useful for purposes of communication, cattle grazing, irrigation, etc., purposes.

(*d*) Control over vaccination and registration of vital statistics.

(*e*) Construction and repair of village roads and maintenance of road-side avenues.

(*f*) Maintenance of Sirkar water pandals.

(*g*) Attending to all matters relating to the improvement of village sanitation such as prevention of epidemic diseases, cleaning of roads, drains, etc , and generally doing such things as may be necessary for the preservation of the health of the public.

(*h*) Formation of Co-operative Societies under Regulation IV of 1098.

(*i*) Supervision over elementary education.

(*j*) Improvement of agriculture and agricultural cattle and prevention of cattle mortality.

(*k*) Maintenance in tact and repair and renewals of survey and boundary marks."

Now all these functions of the village shall be undertaken by the kind of organisation I have described.

Turning to the another side of the report, I shall emphasise the same fact about Kandukrishi lands of which something has already been said. In one part of the Kandukrishi area, the price of paddy is fixed at 12 chuckrams, and in another the price is fixed at 13½ chuckrams for purposes of taxation. Now the Land Revenue Commissioner who has a long experience and who is fairly well in touch with the needs of the ryots, even he was misled by the reports of his subordinates and it must be due to that misrepresentation that he has fixed different rates for these two places. Such a thing would not have happened if you had some organisation which would immediately inform the Land Revenue Commissioner about these facts. I also want to say a few words about the great hardship which the poor people in these places suffer owing to the procedure that was adopted in regard to the levying of prohibitory assessment. It seems to very strange that such an order has been passed. For one perimeter of land the tax is about, on the average two *paras* and the general income therefrom is about ten *paras*. But the prohibitive assessment is ten *paras*, that is, five times the amount of the tax. The man who has to cultivate the land under this state of affairs could not live. In addition, he has to pay back arrears also.

Mr. P. I. Simon (*Municipal Councils*) ; Is it not for the conversion of land?

Mr. K. K. Kuruvilla : The land has been converted but not degenerated. If he has converted the land, it is because the poor man has no place to live. If he applies for sanction it will be delayed to such an extent that he would not be able to get it in his life time. With back arrears and prohibitory assessment I cannot understand how he can live his life. I know that even in this Council Hall there are persons who know the real situation. I find the Financial Secretary and the Excise Commissioner who are in touch with the situation and one of the Division Peishkars, Mr. Chandy, and the Irrigation Officer must also be aware of this. None of them have touched this problem at all. I have often wondered why a new situation produces a new psychological change in the minds of men. Officialdom creates a particular psychological outlook which has not been always helpful to the rural population of this country. I submit this as the real reason. Therefore, I want the village people to be associated with the Government Officers for the purpose of looking into this question.

Sir, a word more about the markets.

President : You have three minutes more.

Mr. K. K. Kuruvilla : The income derived from the markets is Rs. 95,745, while the expenditure for the markets including sanitary arrangements is Rs. 8,000. You must remember that this amount of Rs. 95,000 is made by charging a 2 pie tax on the poor persons who bring a head load to the market. If a man takes a fowl in hand and sells this for six chuckrams, he has to pay out of this a few cash. In this way the Government are able to make an income of a few lakhs. I call this blood money. And the pity of this is that out of this, only Rs. 8,000 is spent on the improvement of the market. In fact, I know a particular market, I mean the Kozhenchery Market, where we have only one sweeper to do the work over a fairly extensive area. I ask the Land Revenue Commissioner why so little money has been spent for the improvement of the market when he gets Rs. 95,000 by way of income.

Mr. Kochikal P. Balakrishnan Tampi : Sir, I rise to oppose the Demand. In doing so, I would like to invite the attention of the House to the hollowness of the Government Communique remitting a portion of the land-tax. There used to be a convention—I do not know whether it is in existence now—of a message from the Huzur Office being sent to the Central Prison soon after every execution to the effect that the execution should be stopped. In the same manner, after attaching all movable properties and auctioning most of the immovable properties, here comes an announcement of some kind of relief. Sir, it has come too late. Also, it is putting a premium upon default in the matter of payment of tax. It helps only those who are favoured by the Proverthicars and Tahsildars, those who have been allowed to delay the payment of tax. I am certainly in agreement with the observations of my friends Messrs. Ananthasiva Aiyar and Kuruvilla regarding the condition of the Kandukrishi tenants. In many cases Sir, it is not a waste, but only an improvement. What in English Law, may be called ameliorative waste has been penalised here. After all the tenants of Kuttanad also want something like a *terra firma* to live on ; and that has been penalised. Their condition is certainly very pitiable. Even without the activities of any subversive body, these tenants will become very desperate, and the Government would only be inviting aggrarian trouble if they do not do something to minimise their grievances.

I oppose the Demand also because the Division Peishkars—some of them at any rate—engage themselves now-a-days in political activities. I know one of them who went about canvassing votes during the recent bye election.

Mr. R. V. Thomas : May I know who that officer was?

Mr. Kochikal P. Balakrishnan Tampi: Everybody knows it, the Quilon Division Peishkar. He is not very good canvassing either. (*Laughter.*) During the recent Mavelikara bye-election, he went about canvassing votes.

President: Does the honourable member make himself responsible for that statement?

Mr. Kochikal P. Balakrishnan Tampi: I make myself responsible for every statement that I make here.

President: That was not the question. The question is whether the honourable member makes himself responsible for the statement that the Quilon Peishkar went about canvassing votes during the recent bye-election at Mavelikara.

Mr. Kochikal P. Balakrishnan Tampi: I make myself responsible fully and unequivocally that Mr. Chandy, the Division Peishkar and District Magistrate, Quilon, went about, during the recent Mavelikara bye-election, canvassing votes, for one Mr. Narayana Pillai, and against Mr. Sankara Pillai, who had been set up by the State Congress as the candidate for the Mavelikara-Kunnattur constituency. That shows that Government Officers themselves are breaking their own Rules. Sir, this is very dangerous. A situation may come when this relaxation of discipline will be very inconvenient to the Government themselves.

I oppose the Demand also because the revenue authorities have not done anything to relieve the sufferings of the people in Karunagapalli whose lands have been washed away by the sea. Sir, by the time we give them amenities, by the time they can listen to a programme from Paris or to a musical programme from our own broadcasting station, these poor people will have been washed away by the sea. This shows the indifference, almost criminal in its nature, of the revenue authorities in not making the necessary proposal to the Government, and of the Government in not making any provision to relieve the grievances of these people on the sea-side.

Mr. Nedumangad R. Kesavan Nair: Sir, I regret I have to oppose the Demand, and begin to do it by repeating my old complaints. The Land Revenue Commissioner himself knows the extent to which the collection of market tolls has now gone up. My friend Mr. Kuruvilla has pointed out that a sum of Rs. 95,714 has been realised by way of market tolls in the year 1112. Sir, complaints have been made and resolutions have been passed times without number on this question. I know the Land Revenue Commissioner is absolutely helpless in this matter unless the Government make it a point not to care for

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this pittance of less than a lakh of rupees which is being realised by harrassing and squeesing the people. If we refer to the Administration Reports of the Land Revenue Department for the last four or five years, we will find that the Tahsildars have been very alert in seeing that somehow or other the markets are bid for increased amounts year after year. Even after the auction, if a rival to the highest bidder puts in a petition offering a higher amount, the auction sale is set aside and the new comer is given the contract. While the income under this head was only Rs. 85,525 in 1111, in 1112, it was Rs. 95,714. There is also another peculiar feature. Of the four Revenue Divisions, the Trivandrum and Kottayam Divisions come 1st and 2nd respectively in the matter of income under market dues. There are 44 markets in the Trivandrum Division and 74 in the Kottayam Division. Still the Government are able to collect Rs. 42,000 from the Trivandrum Division while they get only Rs. 14,000 from the 74 markets of the Kottayam Division. That shows that there is reckless bidding in the Trivandrum Division. I would therefore request the revenue authorities not to confirm any contract of a market lease without ascertaining whether the contract amount is reasonable and can be realised by the lessee if he collects at the rates allowed by the rules. It is clear from the contract amount that, unless the lessee extracts money by illegally harrassing the people, he cannot pay the Government dues fully. Recently under the instance of the lessee of the Kattakada market some rowdies assaulted 5 or 6 persons. I myself have represented the matter to the Land Revenue Commissioner. It happened under the very nose of the policemen. The Public of Kattakada came here and invited the attention of the D. S. P.; and it was under his supervision that the collections were then made. The position is the same in Nedumangad also. In all these places the contractors bid very highly and recklessly harrass the poor people who go to the market, and extract money out of them. Amounts much more than the scheduled rates are levied from these poor people. If the Government really care for the interest of the public they should somehow do away with this item of revenue and redress this longstanding grievance of the tax-payer. I would request you, Sir, that at least now this scandal of market tolls should be put an end to. Sir, yesterday I adverted to the expenditure of Rs. 1 lakh under the head 'Political and Miscellaneous,' for which no explanation was given. Under this item the amount is even less than one lakh; and I ask why not this toll amount be made up in some other item. The tendency of the Government in recent years has been to encourage public markets and to discourage private

markets. I have nothing to say about that. But I would suggest that the Police should co-operate with the people whenever they get complaints against an arbitrary levy being made by the market contractors. When I made a similar representation last year on the floor of this House, the Land Revenue Commissioner was pleased to go to Kattakada. But, Sir these contractors behave like very good boys in the presence of the Land Revenue Commissioner or even the Tahsildar. They will not collect a cash more than what is legitimately due when the Tahsildar is present at the spot. That is not the way things have to be ascertained. The situation is really very serious. Several petitions have been sent up. Last year a protest meeting was held and the resolutions passed there were sent up to the Government. Although the Government are tom-toming that our finances are sound, they are not prepared to redress this grievance of the poor agriculturists in spite of repeated representations and complaints made in this House. Why not, I ask, the Government show that their finances are really sound by granting this boon to the poor people? After all it will not cost the Government even one lakh of rupees. In spite of all our representations Government are not prepared to raise even their little finger in this matter. I request, Sir, that my observations may be taken in the spirit in which they are made. I know several instances in which innocent people have been harrassed by market contractors. Every time a load is taken to a market, the best articles are appropriated by the contractor and his rowdy comrade for their own use, and they also extract in cash much more than what is really due to them. The policemen on duty there invariably sides with the contractor and do not come to the rescue of the poor people who go to these markets. I trust, Sir, that I will not be put to the painful necessity of repeating these sad stories any more. I hope the Government will grant this boon to the poor agriculturists of the country.

In regard to coercive steps, Sir, I would request the Land Revenue Commissioner to see that some more consideration is shown to the poor tax payer. I pointed out to the House last year that the land revenue authorities were able to collect 85 per cent. of the arrears of land revenue. It is quite good that arrears have been collected to that extent. I would only suggest that immovable property should not be sold in cases where the attachment of the crops would enable the Government to get their dues in full.

Further, Sir, notice of auction sales of properties should be served, and the written acknowledgement of the parties obtained, at least one month before the date of auction, so that they can arrange for money and pay off the dues, and save their property. I know of many instances where for Rs. 3, properties worth Rs. 300 have been sold in auction.

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I would also suggest to the Government to lay down a specific provision to verify that agricultural loans are actually utilised for the purpose for which they are granted. That is a matter which requires scrutiny.

I would also request that whenever there is drought remission should be granted as far as possible.

One other suggestion that I would like to make is that the agricultural loans should be transferred to the Credit Bank if possible.

I will conclude by repeating my request about the market tolls so that I may not have to repeat it next year.

Mr. M. S. Anirudhan (*Karunagapally, Kartikapally and Ambalapuzha cum Shertalla*): I would like to offer a few remarks on this demand. Last year, while debating on this demand, there had been several speeches from the representatives of the under-represented communities about the inadequate representation of those communities in the Land Revenue Department, especially among the Accountants and Proverthicars; and the Land Revenue Commissioner had been good enough to assure this House that something may be done so that the representatives of the under-represented communities may get adequate representation. I am not aware, Sir, whether anything has been done by the Government in this direction. In other sections of the department also the representation of these communities is far from satisfactory. We have been clamouring for adequate representation for the last so many years and it is a pity, Sir, that the attention of Government has not been seriously drawn to this question. When I begin to speak on communal representation Sir, it may appear to be jarring to some of my friends but it is a necessity from which I cannot escape and those people to whom this may be jarring belong to communities which are over-represented in the services.

The next point on which I would like to offer some remarks is the sad plight of the land—owning classes, especially the small land—owning classes. A look at the figures of the demand notices issued in 1110, 1111 and 1112 would give a sufficient indication of the financial degradation of the land-owning classes. The number of demand notices issued in 1110 was 7,90,000, in 1111 it was 8,54,639 and in 1112 it was 8,86,607. Movables were sold in 1111 in 1785 cases for an amount of Rs. 15,000 odd and immovable property was sold in 19,106 cases for an amount of Rs. 2,33,594. Coming to 1112, in 1651 cases movables were sold for realising an amount of Rs. 1,16,000 and in 23,163 cases immovable property had to be sold to realize an amount of Rs. 3,66,799. Coming to 1113 the pages of the Government Gazette for the last few months will convince one of the sad plight of the land-owning classes.

These facts unmistakably indicate the downward trend of the financial stability of the land-owning classes. The volume of agricultural output is diminishing year by year and the price of agricultural produce is on a downward trend. The price of the cocoanut has gone down to Rs. 15 per 1000. These facts would clearly indicate the sad plight of the land-owning classes and I appeal to the Government to see that something substantial is done to relieve them from their difficulties by reducing the taxes, granting loans and giving them other reliefs.

Another question on which I would like to speak a few words is the policy of Government in granting loans to the landless classes. The Administration Report says that there were 1,625 applications for lands in 1112 of which only 726 were disposed of. This is a very sad circumstance. I am told that an application put in by a large section of the Kurava community for some lands in Kulakkada pakuthi has been rejected without assigning sufficient reason. I think Government ought to be more alert in these matters.

Mr. V. S. Arumukham Pillai: Sir, honourable friend Mr. Ananthasiva Aiyar just now said that, if a re-settlement is affected, the Government will be losing a large revenue. I am quite against that statement. I assure you, Sir, that by a re-settlement the Government will stand to gain a great deal. In the absence of a re-settlement the Government are now losing a large amount of money. They are losing lakhs and lakhs of rupees. Sir, as I said yesterday, settlement operations were going on from 1053 to 1081. Since the last settlement, several new plantations have sprung up and several encroachments have taken place. A survey conducted in the cardamom areas has revealed a lot of encroachments. Similarly in the areas cultivated with rubber, tea and coffee, if only a re-survey is undertaken, it will be found that a large amount of revenue will be available to Government.

Sir, without dilating too much upon this question of re-settlement, I may draw the attention of Government to the urgent necessity for effecting a reform in land revenue. The glaring defect in the existing system is, as I have said so often, the inequality and the unequal and most inequitable distribution of tax burdens. At the risk of taxing the patience of the Government and at the risk of taxing the patience of my honourable friends; I may state that taxation in Nanjinad is most excessive and onerous. Referring to this inequality the Honourable Rama Aiyangar said that the present inequality of assessment is another evil of great magnitude. Generally to the north of Trivandrum it is slight and moderate, but in the south of Trivandrum, especially in Tovala and Agastisvaram, the tax is excessive and onerous. It is against this inequitable distribution of tax burdens and this differential treatment that the

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Nanjinad ryots have been making representations year after year and the convenient answers has been that the whole thing will be looked into at the time of the re-settlement.

Now, Sir, within the short time at my disposal I would like to refer to two main grievances of the Nanjinad ryots. The first is with regard to the excessive taxation. How was it brought about? If you take a double-crop wet land bearing the first *tharam*, the tax is nine *kottas*, nine *marakals* and four *padies* and the cash equivalent is Rs. 25 ch. 18 c. 7. Sir, how was this arrived at? In the first place I may submit that it was Dewan Shungarasubier who fixed this rate on the basis of a lease of 18 *kottas* per acre. Six-tenths were taken as the *rajabhogam* or the Government share and excluding one-tenth for the unprofitable areas, the tax is nine *kottas*, nine *marakals* and four *padies*. Sir, I may submit that no landlord ever gets his 18 *kottas* per acre in Nanjinad or anywhere near it. I submit that this is most unjust. Even at that time no landlord could get 18 *kottas* from one acre of paddy land.

Secondly, I may submit, Sir, that as a matter of fact no settlement took place in Nanjinad, because the Settlement Officers in fixing the tax on the basis of 18 *kottas* per acre simply looked to the *munkaram*. That was because the people of Nanjinad unlike the people of other parts of the State are a very convenient set of people to deal with. Because they were not at all vociferous, the officers found it convenient to levy any kind of tax on these people and without doing any work whatever, they simply settled according to *munkaram*. That is why I bring it to the notice of Government that so far as Nanjinad is concerned, settlement is an urgent necessity.

Another grievance of the Nanjinad ryots is with regard to the conversion rates. This matter also has been agitated for a very long time and several representations have been made. In regard to these also the convenient answer has been that the whole thing will be looked into at the time of the re settlement. Sir, I will just deal with this question very briefly. The main grievance is that instead of treating one *kotta* as being equivalent to seven *paras*, Government have fixed one *kotta* as being equivalent to nine *paras* and 3/5 *idamgalis* for the first half and 8 *paras* and 6½ *idamgalis* for the second half, and on the basis of this adjustment they have been realising one-fifth of the tax in excess of what is legitimately and legally due from the ryots. It is on the basis of this calculation, namely that for the first half one *kotta* equals 9 *paras* 3/5 *idamgalis* at 6 chs. per *para* and for the second half one *kotta* equals 8 *paras* 6½ *idamgalis* at 11 chs. per *para*, that this amount of Rs. 25 odd

has been worked out. It would have been different if they had followed in their calculations the Settlement Proclamation which stated that one *kotta* equals one acre. They ought to have followed the Settlement Proclamation and it is a gross mistake that they have not done so. Besides, they arbitrarily and without any authority whatever fixed the rate that obtains now. If the Settlement Proclamation had only been followed by them the amount will only come to Rs. 20 odd. This can very easily be worked out. Uniformly for one *kotta*, as I said, the tax is 9 *kottas*, 9 *marakals* and 4 *padies*. If this is converted into *paras*, it will come to 66 *paras* and calculating for 33 *paras* at 6 chs for the first half and for 33 *paras* at 11 chs. for the second half, we will get an amount of Rs. 20. So, the excess of Rs. 5 per *kotta* the Nanjinad ryots have been paying for the last so many years and this means a serious drain on the resources of those ryots.

The amount can easily be calculated and I do not know for how long they should suffer that injustice. I do not know for what long a period this difference on account of the conversion rate at an unjust basis is to exist. If justly assessed in accordance with the just principles on the most proper lease basis namely 10½ *kottas* per *kotta* of paddy land and if the mistakes pointed out in the conversion rules were not committed, the tax per *kotta* would work out only to Rupees 13 ¾. The above is the legitimate tax which one *kotta* of wet land ought to bear.

In this connection, I will be failing in my duty if I do not convey the gratitude of the millions of Nanjinad ryots to the present Dewan of Travancore for the grant of remission allowed to them. Our representations have all along been a cry in the wilderness. That was the case even with *tharisu*, that is in regard to lands that were fallow. We have not been getting any remission. But it is a matter for gratification that the peculiar hardships of the ryots of Nanjinad were engaging the attention of Government and on behalf of the ryots I convey their sincere and heartfelt thanks.

There has been a continuous drought from 1110. Owing to the failure of the Kodayar reservoir the lands could not be cultivated. Even this year Ayacut lands have been left fallow in Agastisvaram and other neighbouring pakuthies. Of course, we are thankful to the Government for the complete remission for *kariru* and for lands which were left fallow. Considering the amount of hardship experienced by the ryots, and the excess tax paid by them the remission recently granted will not satisfy the people of Nanjinad. In the matter of remission, they are entitled to be treated separately different from the ryots in other parts of the State.

(At this stage the President vacated the chair and Mr. Kottur Kunjukrishna Pillai, one of the panel of chairmen, presided.)

Mr. Kalloor Narayana Pillai (*Mavelikara and Tiruvella cum Pattanamtitta*): ഈ ഡിമാൻറിനെ ഞാൻ എതിർക്കുന്നു. ലാൻറ് റവന്യൂ കമ്മീഷണരുടെ പ്രത്യേക ശ്രദ്ധയിൽ ഏതാനും സംഗതികൾ കൊണ്ടുവരണമെന്നുദ്ദേശിക്കുന്നു. ഇപ്പോൾ ഓരോ താലൂക്കിലും ഓരോ തഹശീൽദാരും ഓരോ റവന്യൂ സൂപ്പർവൈസറന്മാരും നിയമിക്കപ്പെട്ടിട്ടുണ്ടല്ലോ. ഓരോ സൂപ്പർവൈസരുടെ കീഴിൽ ഈ രണ്ടു അക്കൌണ്ടന്മാരെയും നിയമിച്ചിട്ടുണ്ട്. പുറംപോക്കുകൾ അളക്കുന്നതിനുവേണ്ടിയാണ് ഇവരെ നിയമിച്ചിട്ടുള്ളത്. എന്നാൽ ഈ തഹശീൽദാരന്മാർക്കോ അല്ലെങ്കിൽ സൂപ്പർവൈസറന്മാർക്കോ പുറംപോക്കുകളുടെ നിലയെന്താണെന്നു നല്ലപോലെ മനസ്സിലാക്കാൻ കഴിഞ്ഞിട്ടില്ലെന്നാണ് എനിക്കു തോന്നുന്നത്. സർവ്വെ ഡിമാർക്കേഷൻറൂളുകൾ ൧൦൭൪-ലാണ് ഉണ്ടാക്കിയിട്ടുള്ളത്. അതിൽ നദികളുടേയും വെള്ളം ഒഴുകുന്ന തോടുകളുടേയും അതിർത്തികളെ കാണിക്കുന്ന കല്ലുകൾ വെള്ളം വന്നാൽ ഇടിഞ്ഞുപോകാതിരിക്കത്തക്കവണ്ണം തീരത്തുനിന്നും ൫൦-൧൦൦-ലിങ്ക്സ് ഉള്ളിലേക്കു മാററി സ്ഥാപിക്കേണ്ടതാണെന്നു വിവരിച്ചിട്ടുണ്ട്. അങ്ങനെ കല്ലുകൾ ഇട്ടിട്ടുമുണ്ട്. ഇപ്പോഴത്തെ സർവ്വേ പ്ളാൻ നോക്കുമ്പോൾ ഇപ്രകാരം യഥാർത്ഥമായ പുറംപോക്കതിർത്തിയിൽ നിന്നും മാറിക്കിടക്കുന്ന കല്ലുകളുടെ അതിർത്തികൾ കാണിക്കുന്ന പ്ളാൻ ആയിരിക്കും കാണുക. ഈ പ്ളാനിനെ ആസ്പദമാക്കിയാണ് പുറംപോക്കു കേസുകൾ എടുത്തുവരുന്നത്. വാസ്തവത്തിൽ അതിൽ അധികം ഭാഗവും പുറംപോക്കുകളല്ലായിരിക്കും. സർവ്വേ ഡിമാർക്കേഷൻ റൂളുകൾ റഗുലേഷൻസ ആൻറ് പ്രോക്ലമേഷനിൽ ചേർത്തു കാണുന്നില്ല. അതിനാൽ തഹശീൽദാരന്മാരും മററും ഈ റൂളുകൾ വായിച്ചുനോക്കിയിരിക്കുകയില്ലെന്നാണ് ഞാൻ വിചാരിക്കുന്നത്. ഇങ്ങനെ ഇതുവരെ ൭൪൪ പുറംപോക്കു കേസുകൾ എടുത്തിട്ടുണ്ട്. ഒരു കേസ് റവന്യൂകമ്മീഷണരുടെ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നതു നന്നായിരിക്കുമെന്നു ഞാൻ വിചാരിക്കുന്നു. ആയിരം കൊല്ലങ്ങൾക്കു മുൻപു സ്ഥാപിക്കപ്പെട്ടതും ഹിന്ദുക്കൾ ആരാധന നടത്തിവരുന്നതുമായ "വണ്ടിമല അമ്മൻകോവിൽ" എന്നൊരു ക്ഷേത്രമുണ്ട്. ഈയിടെ ആ സ്ഥലം പുറംപോക്കാണെന്നു പറഞ്ഞു ആ ക്ഷേത്രത്തിൽ പൂജ നടത്തുന്ന ആളിനേയും അവിടെ ആരാധിക്കുന്നവരേയും പ്രതിയാക്കി അവിടത്തെ തഹശീൽദാർ കേസിൽ ഉൾപ്പെടുത്തി ശിക്ഷിക്കുകയും ചെയ്തിരിക്കുന്നു. നിരോധനക്രമം ഇന്നും ഈടാക്കിവരുന്നുണ്ട്. ആ നിലയിലുള്ള പുറംപോക്കുകൾ പുറംപോക്കുകളായി ഗണിക്കാവുന്നതല്ല. തിരുവിതാംകൂറിലെ ജനങ്ങൾ, വിശേഷിച്ചും ഉൾനാടുകളിലുള്ള ജനങ്ങൾ ഗവൺമെൻറുവക ഒന്നോ, രണ്ടോ ലിംഗസ് സ്ഥലം എടുക്കണമെന്നു വി

ചാരിക്കുന്നവരല്ല. ആവശ്യത്തിന തക്കവണ്ണം ഭൂമി ഇല്ലാത്തവരായി അധികംപേരെ കാണുകയില്ല. ടൌണിലെ കഥയല്ല ഞാൻ പറയുന്നതു്. ഇതിനും പുറമെ വല്ല വഴിയമ്പലങ്ങളൊ കാവുകളൊ മററൊ ആക്കും പ്രത്യേകമായ ഉടമസ്ഥതയില്ലാതെ പൊതുവായി കിടക്കുന്നുണ്ടായിരിക്കും. അതും പുറംപോക്കുകളിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ടു്.

റവന്യൂ ഡിപ്പാർട്ടുമെൻറിൻെറ അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടിൽ പണം അപഹരണത്തിനു ഇപ്പോൾ ചില കേസുകൾ വിചാരണയിൽ കിടപ്പുള്ളതായി പറഞ്ഞിരിക്കുന്നു. പാർവ്വത്യകാരന്മാരിൽ ചിലർ പല തരത്തിലുള്ള അക്രമങ്ങൾ കാണിക്കുന്നുണ്ടു്. ജനങ്ങളിൽ നിന്നു കരം ഈടാക്കുമ്പോൾ എന്തോ ഒരുവക കൌശലവും അവർ എടുക്കാറുണ്ടു്. പററുചീട്ടിൽ ബി. എന്നോ സി. എന്നോ, ഏതാണെന്നു് എനിക്കു് നിശ്ചയമില്ല, കുറിച്ചാൽ അതു് കുടിശിഖവക തുക എന്നർത്ഥമാകും. തന്നാണ്ടത്തെ കരമെന്നുദ്ദേശിച്ചു കൊടുക്കുന്നു. ആ കരം മുതൽവയ്ക്കാതെ അപഹരിക്കുന്നു. പിറേറകൊല്ലം കഴിഞ്ഞകൊല്ലത്തെ കരം കുടിശിഖയായി ഈടാക്കുന്നു. എന്നാൽ കുടിയാനവന്മാർ കൊടുക്കുന്നതു് തന്നാണ്ടത്തെ കരംതന്നെയാണു്.

Mr. K. George: അപ്പോൾ ഈ പഴയ കുടിശിഖ എങ്ങനെ വന്നു?

Mr. Kalloor Narayana Pillai: വാസ്തവത്തിൽ കുടിയാനവൻ കുടിശിഖ ഒന്നും വരുത്തിയതല്ല. പററുശീട്ടി കുടിശിഖക്കെന്നു കാണിച്ചതാണു് വിഷമം. കുടിയാനവനു് കൊടുക്കുന്ന പററുചീട്ടിൽ ഈ അക്ഷരം കുറിച്ചിരിക്കുന്നതിനെപ്പററി സാധാരണ ജനങ്ങൾ ഗൌനിക്കാറുമില്ല. അതുപോലെ കൃഷിവായ്പ, ചന്തക്കരം മുതലായവയെല്ലാം ഗവൺമെൻറിലേക്കു് ഈടാക്കുവാൻ അതാതു കക്ഷികൾക്കു് കൊടുത്തിട്ടുള്ള ഉടമ്പടിയിൽ നിർദ്ദേശിക്കപ്പെട്ടിട്ടുള്ളതു ചെല്ലാൻപ്രകാരം അവരവർ ട്രഷറിയിൽ ഒടുക്കിക്കൊള്ളണമെന്നാണു്. എന്നാൽ ആ സംഖ്യകൾ കൂടി വാങ്ങിക്കുവാൻ തഹശീൽദാരന്മാർ പ്രവർത്തിയാരന്മാരെ നിയോഗിക്കുന്നു. ഇവർ ഒരു രസീതെഴുതി കക്ഷികളുടെ പക്കൽനിന്നും പണം വാങ്ങുന്നു. നടപടികൾ വരുമ്പോൾ കക്ഷികൾ ബുദ്ധിമുട്ടുകയും ചെയ്യുന്നു. പ്രവൃത്തിയാരന്മാർക്കു് ഈ പണം നേരിട്ടു വാങ്ങേണ്ട ആവശ്യമില്ല. അവർ പണം വാങ്ങുന്നതുകൊണ്ടു കുഴപ്പങ്ങൾ വന്നിട്ടുള്ള പല സന്ദർഭങ്ങളും ഉണ്ടായിട്ടുണ്ടു്.

Mr. K. George : ഉടമ്പടിപ്രകാരം അവർ കൃത്യമയത്തു പണം അടക്കാത്തതെന്തുകൊണ്ട്?

Mr. Kalloor Narayana Pillai : ചിലപ്പോഠം സാധിച്ചില്ലെന്നു വരാം. തഹശീൽദാരന്മാരുടെ നിയോഗപ്രകാരം പ്രവൃത്തിയാരന്മാർ ഇങ്ങനെയുള്ള കക്ഷികളുടെ അടുക്കൽ ചെല്ലുന്നു. അങ്ങനെ ചെല്ലുവാൻ പ്രവൃത്തിയാരന്മാൎക്കു യാതൊരധികാരവുമില്ല. തന്മൂലം കക്ഷികഠം വെറുതെ ചിലപ്പോഠം കുഴങ്ങേണ്ടിവരുന്നു. ചില പകുതിക്കച്ചേരികഠം മിക്കവാറും അടച്ചുപൂട്ടിയിടേണ്ടതായി വന്നിട്ടുണ്ട്. ചില പ്രവൃത്തിയാരന്മാരെ കാണാനില്ല. അവർ എവിടെയാണെന്ന് അറിയുവാനും പാടില്ല. ചില പണക്കുഴപ്പം മൂലം അവൎക്കു ഓടിയൊളിക്കേണ്ടിവന്നിരിക്കുന്നു. ഇതിനെല്ലാം കാരണം അവരുടെ നിസ്സാരമായ ശമ്പളമാണ്. പകുതിഉദ്യോഗസ്ഥന്മാർ അതാതു പകുതികളിലെ ദിവാൻജിമാർ ആണെന്നാണ് വയ്പ്. അവരുടെ മക്കളെ വിദ്യാഭ്യാസം ചെയ്യിച്ചില്ലെങ്കിൽ അതൊരു കുറവാണ്. യോഗ്യന്മാരായ ആളുകഠം ആരെങ്കിലും ആ പകുതിയിൽവന്നാൽ അവരെ സൽക്കരിക്കേണ്ട ചുമതലയും ഇവൎക്കാണ്. രാജ്യത്തു എന്തെങ്കിലും ഒരു ചലനമുണ്ടായാൽ അതുടനെ പ്രവൃത്തിയാരന്മാരിലാണ് ആദ്യമായി ഫലിക്കുക. ഇലക്ഷൻ വന്നാലും ശരി, മുറജപം വന്നാലും ശരി, മററു എന്തു ജോലി വന്നാലും ശരി, ആ വക കാൎയ്യങ്ങളെല്ലാം പ്രവൃത്തിയാരന്മാർ നോക്കേണ്ടിയിരിക്കുന്നു. ഇങ്ങനെയുള്ള കാൎയ്യങ്ങഠം വരുമ്പോഠം സ്ഥിതിഗതികഠക്കും ആവശ്യങ്ങഠക്കും അനുസരണമായി കുറെ പണച്ചിലവു ഉണ്ടാകും. സൎക്കാർ പണം അവരുടെ അധീനതയിൽ ഉണ്ടുതാനും. ആണ്ടവസാനത്തോടുകൂടി എല്ലാം ശരിപ്പെടുത്തിക്കൊള്ളാമെന്നുള്ള വിചാരത്താൽ ആ പണം എടുത്തു ചിലവാക്കുകയും ചെയ്യും. എന്നാൽ ഒടുവിൽ ഈ കുഴപ്പങ്ങഠം തീൎക്കുന്നതിനു സാധിക്കാതെയാകും. ഇങ്ങനെയുള്ള വിഷമസ്ഥിതികഠം വരുത്താതെ പ്രവൃത്തിയാരന്മാരുടെ ശമ്പളം കൂട്ടി അവൎക്കു ഒളിച്ചോടിപ്പോകുവാനുള്ള സന്ദൎഭങ്ങഠം കൊടുക്കാതെ പകുതിക്കച്ചേരികളിലെ പ്രവൃത്തനകാൎയ്യത്തിൽ ചില ഭേദഗതികഠം വരുത്തണമെന്നപേക്ഷിക്കുന്നു.

ഇൻകംടാക്സിനെ സംബന്ധിച്ചും എനിക്ക് ഒരു വാക്കു പറയേണ്ടിയിരിക്കുന്നു. ഇപ്പോഠം ഇൻകംടാക്സ് കൊടുക്കുവാനിടയുള്ള ആളുകഠക്കു സാധാരണയായി രണ്ടു തരത്തിലുള്ള കണക്കുകഠം ഉണ്ട്. ഒന്നു ഇൻകംടാക്സിനുവേണ്ടി ഉപയോഗിക്കുന്നതും മറെറാന്നു സിവിഠം കോടതികളിൽ ഹാജരാക്കുന്നതിനു വേണ്ടി ഉപയോഗിക്കുന്നതിനുമായി

അവർ സൂക്ഷിക്കണം. ഇതു് സർവസാധാരണമായി കാണുന്നുണ്ടു്. ഗവണ്മെൻറു് ഇതു കണ്ടുപിടിച്ചു് ഇപ്രകാരം രണ്ടു കണക്കുകൾ സൂക്ഷിക്കുന്നുണ്ടെങ്കിൽ അവരെ പ്രോസിക്യൂട്ടു ചെയ്യുവാൻ വേണ്ട ഏർപ്പാടുകൾ ചെയ്യണമെന്നാണു് ഞാൻ പറയുന്നതു്.

ഇനി എനിക്കു ചന്തക്കരത്തെപ്പററി ഒരു വാക്കുകൂടി പറയാനുണ്ടു്. അടുത്തകാലത്തു പത്തോ, ഇരുപതോ മുട്ടയുമായി യാതൊരു ഗതിയുമില്ലാത്ത ഒരു സ്ത്രീ മുട്ടവിററു കാലക്ഷേപം കഴിക്കാമെന്നുള്ള വിചാരത്തിൽ ഒരു ചന്തയിൽ വന്നു. ആ ചന്ത കൺട്രാക്ടറുടെ ജോലിക്കാരനായ ഒരു റൌഡി കരത്തിനുവേണ്ടി അവളുടെ മുട്ടയിൽ കടന്നു പിടിക്കുകയും അതെല്ലാം താഴെ വീണു ഉടഞ്ഞുപോകയും ചെയ്തു. ആ സ്ത്രീ കരഞ്ഞുകൊണ്ടു തിരികെ പോകുന്നു. നമുക്കെന്തിനാണു് ഇങ്ങനെയുള്ള പണം എന്നു് ഗവണ്മെൻറു് ആലോചിക്കണം. പരമാർത്ഥം പറഞ്ഞാൽ ഇൻകംടാക്സ് കുറേക്കൂടി കൂട്ടിയാലും തരക്കേടില്ല. ഈ ദരിദ്രജനങ്ങളുടെ നിസ്സാരമായ തുകകൾ, രണ്ടുകാശും നാലുകാശും മററും നമുക്കു വേണ്ട എന്നു വയ്ക്കുകയാണു് ഭേദമെന്നു എനിക്കു തോന്നുന്നു.

Mr. N. V. Chacko: Sir, it appears that the Land Revenue Commissioner is ignorant of the existence of North Travancore comprising Parur, Kunnatnad, Muvattupuzha and Devicolam taluks except for the purpose of collecting tax. He seems to be under the impression that those parts are the ideal ones. Government are not aware of the destructions caused by the floods occurring twice a year, the drought and too much rainfall. I do not know whether anybody else has experienced the floods of those parts except my honourable friend Mr. G. Narayana Aiyar. Government officials do not visit those parts during flood for fear of being drowned.

In the matter of remission of tax, I do not know why the people of North Travancore do not even get any remission at all. Is it the Government's case that North Travancore is always prosperous and that they never deserve such concessions from the Government? It is true some concession has apparently been made now, but that cannot benefit the people of those parts. It is only good for advertisement. It applies only to the arrears remaining due at the end of the current year. I do not know of the conditions in South Travancore. But the state of affairs in North Travancore is bad indeed. This concession has come at a time when almost everybody has paid taxes owing to sheer dread of Government officers. In North Travancore they are feared even more than plague. During the collection of tax from those parts people might have been deprived of everything which they might

[Mr. N. V. Chacko.]

have possessed. Government say that they have allowed a concession of 50 per cent. of the arrears of tax remaining due at the end of the year. That is really making fun of the people of North Travancore in view of the fact that they will have by this time paid those taxes without leaving arrears. It would be well if statistics is made for the total amount of tax due from each of the taluks separately, the amount of arrears due from each taluk and the amount of remission that might be allowed to each taluk, as a result of the announcement made recently.

Mr. Narayana Aiyar said that justice should be done to the jenmies in the matter of commutation rates. No doubt, justice must be meted out to them. But it should not be done by enhancing the commutation rate of dues from the kudiyans, but by reducing the commutation rate for the purpose of calculating income tax due to the Government from the jenmies. I think that that is the view point in which the matter has been urged by my honourable friend. The depth and intensity of the poverty of the agriculturists in rural parts are not realised by the Government. How ever I am glad to notice that the Government have admitted that the agriculturists are in a very bad predicament, but Government say that they will have to remain in that condition for an indefinite period and seem to have resigned them to their inexorable fate. They seem to think that there is no use of trying to help the agriculturists who are given up as doomed for ever. But, if the Government are willing to help the agriculturists, they can relieve them to some extent at least. One way of helping the agriculturists is by the remission of tax. The amount remitted can be made good by reducing the pay of the officials. I hope they will excuse me for saying so. Their pay can be reduced on the model of the Congress Government in Madras. The agriculturists require ever so many relief measures. The Relief measures which we have here are quite inadequate and they should be improved on the lines followed in Madras.

One fact why North Travancore is so much ignored is because there are no officers from that side who would really be interested in those areas. I think this defect can be remedied if regional representation is given effect to. I am not claiming regional representation for my own sake or for my children.

There is a tug of war between the Revenue Department and the P. W. Department. They are trying to see who are in greater authority. As a result of this the roads constructed by the agriculturists are seldom taken by the P. W. Department. This Department complains that the revenue authorities cause great delay

in taking the necessasy proceedings and allowing the P. W. D. to take possession of the roads so that they may be improved and maintained. So I would invite the attention of the Land Revenue Department and the Government to see that no such friction occurs in future. We have not the good fortune of having Alwaye or Puthenkurisu as the capital of this State. That does not mean that our cry need not be heard here.

Ever so many members complained about markets. It is well known that the Contractors are taking all sorts of coercive steps to extract money from the poor people, while the Government get only a poor pittance as their share.

Mr. T. Muhammed Ismail: Sir, it was with the full sense of responsibility that I have stated yesterday that the mountain taluks of Devicolam and Peermade can very well be abolished with advantage. My friend Mr. Ananthasiva Aiyar pointed out that at least the office of the Game Warden may be amalgamated with this. If we can understand the work of the Game Warden, I fear it will be an unnecessary waste if it is to continue. My conviction is that this can be abolished and if necessity arises for the preservation of the wild animals that can very well be entrusted to the Forest Department.

I think the Land Revenue Commissioner is very very careful to get as much money as possible, but he is very reluctant to spend the money for the good of those who contribute it. I remember it was in 1111 that the Pambanar market was shifted from the old place to the new one. By auctioning the right to collect the tax from the markets for the last four years the Government got about Rs. 3000. I have the fortune or misfortune to visit this place very often and even last month I visited this particular market on my way to some other place. There is a history behind the choice of this particular site which I do not want to say here. The place chosen is a hilly tract removed from the main road. When this market was opened there was not the least convenience and the people were told "here is the place for the market and you carry on the business." They were made to believe that conveniences will be made, roads will be constructed, wells sunk, walls made and all that. But Sir, even in the last month it continues as it was before. There is no well there.

Mr. K. George: There is a well.

Mr. T. Muhammed Ismail: No, it is only a pit. I myself had occasion to take water from that pit last month. That is of no use and a good well is an absolute necessity. Without a road, it is impossible to carry on the market there. It may be under construction, but nothing is done. It takes four years for the construction of this market! Even this year Government got Rs. 400

[Mr. T. Muhammed Ismail]

as licence fees. If the convenience of the people, especially in market places, are not looked to, market going people will have to suffer a great deal. Therefore I invite the serious attention of the Land Revenue Commissioner to make it a pacca market.

A word about the revenue sales also. Whenever there is a revenue sale there will be an appeal and a revision complaining that there are irregularities in the sale of the land. These irregularities are due to the misconduct of subordinate officers who conduct the sales. After two or three years the purchaser and the defaulter are both put to great loss. It may be that it is only after three years that the irregularities are found out by the authorities and the person who has purchased the land in auction has to leave that property. True he may get five per cent., of what he has paid. It may be for small sums that one or half an acre of land is sold. If the Land Revenue Commissioner will exert some influence on his subordinates he can reduce these irregularities to a minimum.

About the income tax also, every body knows that there is much of evasion even now. At this time people know how to hide their true accounts. I request that the Government will pay more serious attention to find out these evasions, so that they can get more money from the rich.

Mr. A. Easwara Pillai (*Kottarakara and Pattanapuram cum Shencotta*): I also oppose the demand. My object in doing so is to impress upon the Government the necessity for the abolition of land-tax. The Dewan President in his speech before the joint session of the Assembly and the Council stated unequivocally that the ultimate aim of the Government is to abolish land-tax. He also said that if the people will willingly co-operate with the Government he will see that our revenue will be augmented by Rs. 20 lakhs every year. Our receipts from the Land Revenue Department is only about Rs. 41 lakhs. More than 10 lakhs we spend for the Revenue Department. The balance in land-tax is only Rs. 30 lakhs. If the wind fall promised by the Dewan comes true without difficulty we can abolish land-tax. The agricultural community consists of the bulk of the people of Travancore. I can boldly say that they are mostly willing to co-operate with the Government, provided the Government are willing to help them. If the Government will abolish the land-tax, I can assure that the agricultural section of the people of Travancore will heartily co-operate with the Government. They are not enamoured of any form of Government whether it be responsible Government or self-Government or Republic. (Mr. P. Balakrishnan Tamip, Shame.) They want good Government—a Government which is alive to their needs and requirements. They want such a Government.

Mr. R. V. Thomas (*Thodupuzha* cum *Minachil*): May I know whether the member would reject Responsible Government if it is granted by His Highness the Maharaja under his aegis ?

Mr. A. Easwara Pillai: Sir, I have no attraction for any particular form of Government. My concern is that we want good Government, a Government which is sympathetic and considerate'; let it be Responsible Government, Monarchy or Republic. I don't give any importance to the nomanclature. The agricultural community, I represent, does not care for mere names. It it only certain discontented politicians, who wish to conduct propaganda, that speak about the forms of Governments. The peasants want benevolent Government which would attend to their needs and requirements. If the Government are going to do that, I can assure them the hearty support of the agricultural community of the State.

One honourable member said that South Travancore people require remission of tax. One other honourable member wanted remission for Kuttanad. Sir, this is the common cry of the people of all parts of the State. Every year, honourable members of this house bring forward resolutions and cut motions to reduce the land-tax, and they were passed with great majority. Our Government were also pleased to grant occasional remission. Any how, a strong case is made out for abolition. The Government have conceded its urgency also. In view of these facts, I request the Government to abolish the land-tax in toto. If it is done there will be great contentment and peace in the State.

Sir, the condition of the agriculturists is very miserable. Their holdings have lost their economic importance on account of subdivisions and fragmentations. Economic depression hit them very hard. The price of articles has fallen considerably and it is impossible for them to meet the cost of cultivation. Under these circumstances it is only just and fair to consider the abolition of land-tax.

Another fact I have to impress upon the Government is this. Every civilised Government are trying to make their country self-supporting. Travancore should not be an exception. Our country should be made self-contained and self-sufficient. To achieve that, we must begin extensive cultivation.

Chairman: The House will now adjourn and meet again at 2 P. M.

The House adjourned for lunch at 1 P. M. and met again at 2 P. M, with the President in the chair,

Mr. A. Easwara Pillai: To make our country self-sufficient we must increase the production of paddy. We import large quantity of rice and paddy every year from outside. To avoid that we must start extensive cultivation of paddy here. Large tracts of land and swampy areas are lying idle in our forest regions. We must disafforest these lands and register them in favour of the people. So also large portions of the Vembanad and the Kayankulam lakes should be reclaimed and made available for cultivation. I should also impress upon the Government one other point in connection with market tolls. Market tolls should be abolished. It has become a curse to the poor agriculturists. The fees that we collect are comparatively small. We get only Rs. 98,000. It is only a small amount which we can forego without any difficulty. The misery of the people is appalling. So I join with my friends who advocate the immediate abolition of this obnoxious tax.

I would also draw the attention of Government to another matter. Sir, in some taluks the Tahsildars are asked to carry on the work of the Magistrates. The Tahsildar has to do multifarious duties. He is an overburdened and overworked officer. It is a great sin to ask him to carry on the work of the magistrates as well. He may not be able to cope with both duties. It is better to divest the Tahsildar of his magisterial duties and entrust it to Second Class Magistrates.

Mr. C. N. Thuppan Nambudiri (*Travancore Jenmis*): ഈ ധനാഭ്യർത്ഥനയിൽ ചില പ്രധാനസംഗതികളെക്കുറിച്ച് പ്രസ്താവിക്കണമെന്നാണു ഞാൻ വിചാരിക്കുന്നതു്. ഇവിടത്തെ ജന്മിക്കരം സെററിൽമെൻറ് അടുത്ത ഒരു കൊല്ലംകൊണ്ടു പൂർത്തിയാകുമെന്നു ലാൻഡ്റവന്യൂ കമ്മിഷണർ ആഗ്രഹിക്കുന്നുണ്ടു്. അദ്ദേഹം ജന്മിക്കരം സെററിൽമെൻറു സംബന്ധിച്ചു നിഷ്ക്കർഷമായ നടപടികൾ നടത്തുന്നുണ്ടു് എന്നുള്ളതും എനിക്കു ബോദ്ധ്യമായിട്ടുണ്ടു്. എന്നാൽ ഈ ഒരു കൊല്ലംകൊണ്ടു് ഈ ജോലിതീർക്കണം എന്നു പറയുന്നതു അദ്ദേഹത്തിൻെറ ഒരാഗ്രഹം മാത്രമെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്. ജന്മിക്കും കുടിയാനവനും ദോഷമില്ലാത്ത വിധത്തിൽ അവർ സൌഹാർദ്ദതയോടുകൂടി ഇരിക്കണമെന്നുള്ള വിചാരത്തോടുകൂടിയാണു അദ്ദേഹം ഇങ്ങനെ പ്രസ്താവിച്ചിട്ടുള്ളതു്. അങ്ങനെ അദ്ദേഹം ആഗ്രഹിച്ചതിനു ഞാൻ നന്ദി പറഞ്ഞുകൊള്ളുന്നു. എന്നാൽ ഈ ജന്മിക്കരം സെററിൽമെൻറ് കമ്മീഷണർ ആഗ്രഹിക്കുന്നതുപോലെ ഒന്നല്ല രണ്ടല്ല മൂന്നുകൊല്ലമായാലും ശരിയായി തീരുകയില്ല എന്നുള്ള സംഗതി ഞാൻ നിശ്ചയമായും ഇവിടെ പ്രസ്താവിച്ചുകൊള്ളുന്നു. ജന്മികുടിയാൻ റഗുലേഷൻ പാസാക്കിയ അവസരത്തിൽ അ

ന്നിരുന്ന ലാമെമ്പർ ഇതിനെപ്പററി പ്രസ്താവിച്ചപ്പോൾ ഇതു ശരിയായി നടക്കുകയില്ല കഴപ്പത്തിലേ കലാശിക്കുകയുള്ളു എന്നു ഞാൻ എതിരഭിപ്രായം പുറപ്പെടുവിച്ചിട്ടുണ്ട്. ആ സംഗതി ലാൻഡ റവന്യൂ കമ്മീഷണൎക്കു ഇപ്പോൾ ഏറെക്കുറെ ബോദ്ധ്യമായിട്ടുണ്ടെന്നു ഞാൻ വിശ്വസിക്കുന്നു. ഇപ്പോഴത്തെ ജന്മിക്കരം ഡിപ്പാർട്ടുമെൻറിൻെറ നിലയെപ്പററിയാണു ചില സംഗതികൾ എനിക്കു സൂചിപ്പിക്കുവാനുള്ളതു്. ഇതിനെ സംബന്ധിച്ചു പറയുന്ന അവസരത്തിൽ ഇതിൽ ഇത്ര ഗൌരവമായി പറയാനെന്താണുള്ളതെന്നു തോന്നിയേക്കാം. ജന്മികുടിയാൻ ബില്ലുപോലെ ഇത്ര പ്രാധാന്യമേറിയ ഒരു ബില്ല് വേറെ ഇല്ലെന്നുള്ളതു എല്ലാവക്കും അറിയാവുന്നതാണ്. ജന്മിയും കുടിയാനും തമ്മിൽ സൌഹാർദ്ദത്തോടും ക്ഷേമത്തോടുംകൂടി പെരുമാറണമെന്നുള്ള വിചാരത്തിലാണു ആ നിയമത്തിൽ ഭേദഗതി വരുത്താൻ തുനിഞ്ഞിട്ടുള്ളതു്. അങ്ങനെ ആ നിയമം കൌൺസിൽ ഭൂരിപക്ഷത്തോടുകൂടി പാസാകുകയും ചെയ്തു. ആ നിയമത്തിൻെറ തത്വത്തിൽ ജന്മിമാർ ഏറെക്കുറെ കീഴടങ്ങിയെന്നേയുള്ളു. അതു സംബന്ധിച്ചു ഗവൺമെൻറിൽനിന്നും ഉണ്ടാക്കിയിട്ടുള്ള റൂൾസു അനുസരിച്ചാണു ഇപ്പോൾ ജന്മിക്കരം നടപടികൾ നടത്തിവരുന്നതു്. ജന്മിക്കരം ഡിപ്പാർട്ടുമെൻറു ആദ്യമായി രൂപീകരിച്ചപ്പോൾ റവന്യൂ ഡിപ്പാർട്ടുമെൻറു ഫാറസ്റ്റ് ഡിപ്പാർട്ടുമെൻറ് എന്നിങ്ങനെയുള്ള ഡിപ്പാർട്ടുമെൻറുകളിൽ കണക്കുകളും മററും എഴുതുന്നതിലേക്കു കൈയ്യടനോക്കി ആളുകളെ എടുക്കുന്നതുപോലെ കുറെ ആളുകളെ എടുത്തു. ഈ ഡിപ്പാർട്ടുമെൻറിനെ സംബന്ധിച്ചോ ജന്മിക്കരം എന്താണെന്നുള്ളതിനെപ്പററിയോ യാതൊരു പരിചയവും ഇല്ലാത്ത ആളുകളെയാണു അതിലേക്കുവേണ്ടി എടുത്തിട്ടുള്ളതു്. ഈ സംഗതിക്കു തെളിവുകൊടുക്കാൻ ഞാൻ തയാറാണ്.

President: I do not wish to curtail the limits of debate. But the honourable member should remember that he has only 2 minutes more. So he will make his remarks as short as convenient.

Mr. C. N. Thuppan Nambudiri: ഈ ഡിപ്പാർട്ടുമെൻറു സംബന്ധമായ നടപടികളിൽ ജന്മിമാരിൽനിന്നും ഇനിയും സ്റ്റേറ്റുമെൻറുകൾ കിട്ടാനുണ്ടെന്ന് ലാൻഡ് റവന്യൂ കമ്മീഷണർ പറയുന്നു. എന്നാൽ മൂന്നുപ്രാവശ്യം സ്റ്റേറ്റുമെൻറു കൊടുത്തിട്ടുള്ള ആളാണു ഞാൻ. സ്റ്റേറ്റുമെൻറു കൊടുക്കുന്നതിന് യാതൊരു രസീതും തരികയില്ല. സ്റ്റേറ്റുമെൻറു മേടിച്ചു ഫയലിൽ കെട്ടിയിടും. മൂന്നും നാലും പ്രാവശ്യം

Mr. C. N. Thuppan Nambudiri.]

സ്റ്റേറ്റുമെൻറുകിട്ടാൻ നോട്ടീസ് അയക്കുന്നുണ്ട്. ഇതിനുംപുറമെ തീർച്ചചെയ്തിട്ടുള്ള കേസുകൾക്കു വീണ്ടും സ്റ്റേറ്റുമെൻറു കൊടുക്കണമെന്നു നോട്ടീസ് അയക്കുന്നുണ്ടു. സ്റ്റേറ്റുമെൻറു കൊടുക്കാതിരിക്കുന്ന അവസരത്തിൽ കരംപതിവിൽ പോകട്ടെ എന്നുപറഞ്ഞ് അവിടെ അയക്കുന്നു. ഇങ്ങിനെയാണ് പൊതുവെയുള്ള അവിടത്തെ കുഴപ്പം. ഇതിനുംപുറമെ കരംപതിവിനെ സംബന്ധിച്ചുള്ള നടപടികളെക്കുറിച്ച് ലാൻഡ് റവന്യൂ കമ്മീഷണർ വളരെ സാമർത്ഥ്യത്തോടുകൂടി അദ്ദേഹത്തിൻെറ റിപ്പോർട്ടിൽ എടുത്തുകാണിച്ചിരിക്കുന്നു. ഈ കൊല്ലത്തിൽ ഇരുപതിനായിരത്തിൽപരം കരംപതിവു കേസുകൾ കണ്ടുപിടിച്ചിട്ടുണ്ടെന്നു പറയുന്നു. ഇതു കണ്ടുപിടിക്കുന്നതിന്നു ഒരു പ്രയാസവുമില്ല. ജന്മിമാർ കൊടുത്തിട്ടുള്ള സ്റ്റേറ്റുമെൻറുകൾവച്ചു തീർച്ചചെയ്യുമ്പോൾ മതി. ഈ സംഗതി ലാൻഡു റവന്യൂ കമ്മീഷണർ സർക്കൂട്ടുവരുന്ന അവസരത്തിൽ ഞാൻ കാണിച്ചുകൊടുക്കാം. പറയുടെ കുഴപ്പത്തെപ്പററിയാണു അടുത്തതായി പറയാനുള്ളതു് മുൻപു അതിനെപ്പററി പലപ്പോഴും പറഞ്ഞിട്ടുണ്ട്. അറുന്നൂററിനാല്പത്തു ക്യൂബിക്കു ഇഞ്ചു ആണു അഗ്രശാലപറ എന്നു ലാൻഡ് റവന്യൂ കമ്മീഷണർ പറയുന്നു. ഇവിടെനിന്നും ഇന്ന സ്ഥലത്തേക്കു എത്ര ദൂരമുണ്ടെന്നു ചോദിച്ചാൽ രണ്ടുനാഴികയുണ്ടെന്നു പറയും. രണ്ടുനാഴികയെന്നു പറഞ്ഞാൽ അഗ്രശാലപ്പറക്കാണെന്നും പറയും. അതുകൊണ്ടു അഗ്രശാലപ്പറ കൂടുതൽ എന്നാണു സാധാരണയായി ജനങ്ങൾ വിശ്വസിച്ചുവരുന്നതു്. ൯൪൦ ക്യൂബിക്കു ഇഞ്ചു മുൻപിരുന്ന ലാമെമ്പറുടെ കണക്കാണ്. അഗ്രശാല പറയെപ്പററി തർക്കമുണ്ടായപ്പോൾ അന്നിരുന്ന വിദഗ്ദ്ധനായ ലാമെമ്പർ കണ്ടുപിടിച്ചതാണു ഈ പറ. മതിൽക്കകത്തു ഉണ്ണാനുള്ള പറയാണിതു്. അതുകൊണ്ടു അവിടെ അളക്കുന്ന പറ ഏതാണെന്നന്വേഷിച്ചു കണ്ടുപിടിച്ചു. പഴയ അളവുകൾ പറന്നിറച്ചാണു അളക്കുന്നതു്. ഈ പറയുടെ തലവടിച്ചാണു അളക്കുന്നതു്. ഈ പറ അഗ്രശാലപറയെന്നും നിശ്ചയിച്ചു. സ്റ്റാൻറാർഡു പറയും അഗ്രശാല പറയും ഒന്നാണെന്നു ൧൦൭ ഇടവം ൨൦-ാനു-യിലെ ഗസററിൽ പറയുടെ തർക്കം വരുതെന്നു വിചാരിച്ചു പറഞ്ഞിട്ടുണ്ട്. മി. എൻ. വി. ചാക്കോ പറയെപ്പററി ചോദ്യം ചോദിച്ചപ്പോൾ ഉപ്പുണിത്തുറ പാട്ടപ്പറ എന്നു ഒരു പറയെപ്പററി പറഞ്ഞു. അഗ്രശാല പറ, മുദ്രപ്പറ, സ്റ്റാൻറാർഡു പറ ഈ മൂന്നു പറയും ഒന്നാണ്. ഇതി

ന്റെ വ്യത്യാസം നിമിത്തം ജന്മിമാൎക്കുമാത്രമല്ല കുടിയാനും സങ്കടമുണ്ടു്. ജന്മികുടിയാൻ റഗുലേഷൻ പാസായകാലത്തുതന്നെ ഇതിനെ ഞാൻ എതിൎത്തിട്ടുണ്ടു്. ജന്മിമാൎക്കു സിവിൽ കോടതിയിൽ പോകാതെ നിവൃത്തിയില്ല. അതുകൊണ്ടു ആ വിഷയത്തിൽ പ്രത്യേകമായി നിഷ്കൎഷ ചെയ്യണം. വിലത്തരത്തെ സംബന്ധിച്ചാണു പിന്നെ പറയാനുള്ളതു്. കമ്പോളനിരക്കു ൧൪-൮, ൧൫-൦, ൧൬-൦ ചക്രമുണ്ടെന്നു കമ്മീഷണർ പറയുന്നു. എന്നാൽ ആദായനികുതിയെ സംബന്ധിച്ചു വച്ചിരിക്കുന്ന നിരക്കു വേറെയാണു്. പെൻഷൻകാൎക്കു കൊടുക്കുന്ന നിരക്കും വേറെയാണു്.

Mr. K. George : അതിലേക്കു കമ്മ്യൂട്ടേഷൻ കമ്മററിയെ നിയമിച്ചിട്ടുണ്ടെന്നറിയാമോ?

Mr. C. N. Thuppan Nambudiri : ആ കമ്മററി പാടില്ല എന്നു ഞാൻ പ്രതിഷേധിച്ചിട്ടുണ്ടു്. ൫൧ ലക്ഷം ജനങ്ങൾക്കു കിട്ടിയിട്ടുള്ള നിരക്കു ജന്മികൾക്കുമാത്രം പാടില്ല. അവൎക്കു പ്രത്യേകം കമ്മററിവച്ചു പ്രത്യേകനിരക്കു ഉണ്ടാക്കണമെന്നു പറയുന്നതിന്റെ അൎത്ഥം അവരെപ്പററി എന്തുചെയ്താലും ക്ഷോഭമുണ്ടാകയില്ലെന്നുള്ള സമാധാനമായിരിക്കാം.

Mr. K. George : Sir, a large number of subjects have been discussed here.

President : You have 8 minutes.

Mr. K. George : Sir, under this demand many subjects have been discussed. I do not think I shall have sufficient time to deal in detail with all of them ; but I shall attempt to deal with such of them as are important.

One general subject, that was discussed by several members was about tolls in markets. I think I had better speak of that at the very beginning. Tolls in markets were established under the Market Regulation and they have been in force for a very long time now. The principle which underlies the levy of tolls in markets was recognised by the legislature when the Market Regulation was passed by it. The principle evidently is this :—

The markets are local institutions and the improvement of the markets is a requirement which should be met not from general finance but from local revenues. Apparently, it is on that principle that market tolls are levied in British India also. Well, that being recognised, suppose market tolls are abolished, then all the expenditure that has to be incurred for the maintenance and improvement of markets, such as their upkeep, sanitation, the supply of drinking water, the provision of stalls, the construction of boundary walls,

[Mr. K. George.]

etc., all these will fall on the general revenues. It is no doubt true that we have not been spending a substantial amount for improving the markets in the past. It is due to various reasons which I need not detail now. I can only say that for the next year we have made a substantial provision of Rs. 25,000 for markets. We are proposing to take over and convert into public markets as may private markets as possible. At present, although we are not spending the entire sum we collect, we are maintaining the markets properly as far as the funds allotted permit. Now I shall consider the question of private markets. It was said by one member that more private markets should be allowed and that should be taken over by the Government after seeing that they are thriving. Government have no objection to allow private markets in places where it is useful to open them and where the opening of public markets will not be possible. At the same time, Government have to inform the House that their policy is as far as possible to convert private markets into public ones. That policy is being steadily kept in view. Now, as regards the irregularities in certain markets, it is true that in some markets much larger tolls are levied than is authorised. Complaints have been occasionally received from the public that the tolls levied are excessive and not authorised by the Market Regulation. Enquiries have been made in such cases, and, where it has been proved that the market contracters are levying exhorbitant rates steps have been taken to put a stop to such practices. The honourable member Mr. R. Kesavan Nair is aware that I went in company with him to inspect a particular market and to see whether the contractor levied excessive rates. It was found that the complaints against the contractor were true and I took immediate steps to stop his exaction. Sir, last year I promised to consider the question of the abolition of tolls on hand load. I have already made some proposals to Government in that matter and I expect Government will pass order shortly. Consistent with the policy that the Government have been adopting in this matter, it would not be practicable to abolish the tolls on other than hand loads.

Mr. K. K. Kuruvila: We are getting Rs. 95,000, why can't we do that?

Mr. K. George: We cannot sacrifice the revenue.........

Mr. Nedumangad R. Kesavan Nair: Why can't we dispense with this blood money as Mr. Kuruvila will have it.

Mr. K. George: It is not as easy as it looks at first sight. There are various questions to be considered in that connection. There is, for instance, the question of tolls in markets in municipal areas. We cannot interfere with the tolls levied there. These are a substantial source of revenue for the municipalities. Well, it is

not proper that tolls should be abolished in rural areas and allowed to continue in municipal areas. No such differential treatment ought to be made. Then the other thing that we have to consider is that on principle the levy of tolls in markets is proper, because markets are local institutions and the general funds should not be utilised in improving the conditions of markets in rural areas.

One other subject which I should refer is the question raised by the honourable member Mr. Arumukham Pillai, regarding the excess taxation in Nanjanad. Government have already admitted that the rate of taxation in Nanjanad is comparatively heavier than in other parts of the State. It has been decided, at any rate, for the time being, that the question of resettlement should be postponed; that being so, the Nanjanad ryots will be justified in asking that their long-standing grievances should be redressed. If resettlement is to be postponed, something should be done in the mean time to remedy their hardships. One or two methods of remedying their grievances suggest themselves to the Government. Some of the members from Nanjanad have made a suggestion that their hardships will be mitigated if the complaints, which they have all along been making regarding the conversion of *kotta* into *para*, is re-examined and the *kotta* is declared to be equivalent to 7 *paras* and 2 edangalies instead of the present rates of 9 *paras* and 5 *edangalies* adopted for part of half the tax and 8 *paras* and 6½ *edangalies* adopted in 1081 for the remaining half. That is possibly a way of remedying their grievance; but it is a matter requiring careful examination.

Mr. V. S. Arumukham Pillai: Sir, I wish to know whether the Land Revenue Commissioner is going to decide the question on the basis of the statement made by any member or on the merits of the question.

Mr. K. George: Yes, Sir. I am speaking of the merits of the question. I am referring to the arguments put forward by the people of Nanjanad.

President: Including, I take, the honourable member who represents Nanjanad in this House.

Mr. K. George: Yes, Sir. The question is bristling with difficulties. At any rate, this question was considered by Government on previous occasions and they have decided that the grievance is imaginary. I am at the present moment examining that question and I hope to submit a report to Government about it very shortly. It is submitted that the Nanjanad ryots are paying a very high tax. Another solution which seems to be simpler is to see whether it is not possible to give to the ryots of Nanjanad a 10 or 12½ per cent reduction of all the *tharams* from the 1st to the 14th. I am dealing with the matter from both these points of view. The report will be made shortly.

[Mr. K. George.]

Sir, one member suggested that the Devicolam Division may be abolished and added on to Kottayam. It is a very attractive proposal. It is also a proposition which, if carried out, will cause some saving to Government. I may inform the House that the Government are looking into the matter carefully. It is impracticable to add the whole of the Division to Kottayam, because that would make it an unwieldy Division. Devicolam is about 100 miles from Kottayam and the outlying places of Devicolam cannot be easily reached from Kottayam. But, the Peermade taluk of the Devicolam Division could easily be added to the Kottayam Division. The whole of Kottayam, Quilon and Devicolam may be so redistributed as to give fairly equal jurisdiction to the Division Peishkars. That is a question which the Government are now considering. It is not possible to make any promise now.

The Nambudiri member was very anxious to discuss about the Jenmikaram Settlement. I hope we shall be able to finish the Jenmikaram Settlement within one year. The work is almost nearing completion. The number of cases left for disposal is few. Certain items of work remain to be done.

Mr. C. N. Thuppan Nambudiri: ജന്മിക്കരം സെററിൽമെൻറിനെ സംബന്ധിച്ച സ്റ്റേററമെൻറ കൊടുത്തതു് തീർച്ചപ്പെടുത്തുതന്നെ തിരിയെ ശരിയായ സ്റ്റേററമെൻറു് ആവശ്യപ്പെടുന്നതായി മെമ്പക്കറിയാമോ?

Mr. K. George : അങ്ങനെ ചിലതെല്ലാം കാണും. Sir, shall I speak a few words in Malayalam, so that the member may understand.

President. Oh, yes.

Mr. K. George. ഇപ്പോൾ ജന്മിക്കരം മിക്കവാറും എല്ലാം തീർന്നിരിക്കയാണു്. ഇനിയും കുറെ ജോലികൾ മാത്രമേ തീരാനുള്ളു. അതെല്ലാംകൂടി ഒരാണ്ടിനകം തീരുമെന്നാണു വിചാരിക്കുന്നതു്. ഈ ആണ്ടിൽതന്നെ അൻപതു പകുതികളിലെ സെററിൽമെൻറു രജിസ്റ്റർ എഴുതിത്തീരും. ചില ജോലികൾ തീരാനുണ്ടെന്നു ഞാൻ പറഞ്ഞതിൽ ഒന്നു ചില കുടിയാന്മാരുടെ പേർ പഴയ തണ്ടപ്പേർ പ്രകാരമല്ലാ കാണുന്നതു് എന്നുള്ളതുകൊണ്ടു് അതിനെ തിരുത്തണമെന്നുള്ളതാണു്. അതിനെ സംബന്ധിച്ച പേരു മാററാനുള്ള നടപടി ഊർജ്ജിതമായി നടത്തിവരുന്നുണ്ടു്. പിന്നൊന്നു്, മൂവായിരമോ നാലായിരമോ കേസുകൾ കിടക്കുന്നു എന്നുള്ളതാണു്. അതിലേക്കും പ്രത്യേകം ആളുംവെച്ചു കേസുകൾ തീർക്കുന്നതിനു വേണ്ട ഏർപ്പാടുകൾ ചെയ്തിട്ടുണ്ടു്.

Mr. C. N. Thuppan Nambudiri: സ്റ്റേറ്റുമെൻറു കൊടുത്തിട്ടില്ലാത്തതു മുഴുവൻ കരം പതിപ്പു നടപടി നടത്തിക്കൊടുക്കുകയാണോ ചെയ്യുന്നതു്?

Mr. K. George: അങ്ങനെയാണു ചെയ്തുകൊണ്ടിരുന്നതു്. എന്നാൽ കരം പതിപ്പു നടപടി നടക്കുന്ന സമയത്തു കുടിയാനോ ജന്മിയോ സ്റ്റേറ്റുമെൻറുകൊടുത്തു തെളിവു ഹാജരാക്കുന്നപക്ഷം ആ നടപടിയെ റദ്ദുചെയ്കയാണു പതിവു്. അങ്ങനെയുള്ള കേസുകൾ വളരെ ചുരുക്കമാണു്.

Mr. C. N. Thuppan Nambudiri: ഇപ്പോൾ ജന്മിമാരുടെ സ്റ്റേറ്റുമെൻറുകൾ വന്നിട്ടുള്ളതു ആകെയുള്ളതിൽ പകുതിയോളമെ വരികയുള്ളു എന്നറിയാമോ?

Mr. K. George: അതിനെ സംബന്ധിച്ചു നല്ല നിശ്ചയമില്ല. ഇപ്പോൾ വന്ന സ്റ്റേറ്റുമെൻറുകൾ മിക്കവാറും തീർന്നിട്ടുണ്ടു്. വരുന്ന യാണ്ടോടുകൂടി എല്ലാ പകുതികളിലേയും ജന്മിക്കരം സെററിൽമെൻറു് രജിസ്റ്റർ എഴുതിത്തീർക്കാമെന്നാണു ഗവമെൻറു ആശിക്കുന്നതു്. കരം പതിപ്പിനെ സംബന്ധിച്ചു ഊർജ്ജിതമായ നടപടി നടത്തിവരുന്നുണ്ടു്. അതുകൊണ്ടു വലിയ വിഷമങ്ങളുണ്ടാകുമെന്നു തോന്നുന്നില്ല. ഇതിനെ സംബന്ധിച്ചു് ഇത്രമാത്രമെ പറയുന്നുള്ളു.

Sir, one other important subject which was discussed is the need for more consideration in the issue of coercive processes. It is true that, during the last 3 or 4 years, there has been an increase in the number of coercive processes issued. Probably, that is partly due to the deterioration in the ability of the people to pay the tax. But I may point out that, although the number of demand notices was high, the number of sales was comparativley small, and the number of sales ultimately confirmed was still smaller. Sir, a very large number of cases come up to me for revision, and I always make it a point, as far as possible, to help the people without causing undue hardship to the purchasers. The large number of actual revenue sales need not cause any uneasiness or alarm in the minds of the members.

One honourable member stated that there were irregularities in the issue of coercive processes. A few irregularities are inevitable when such a large number of sales have to be conducted. But whenever such irregularities are brought to my notice, I have always tried to remedy them.

Mr. Nedumangad R. Kesavan Nair: May I know the total amout of tax remitted as a result of the Dewan's announcement?

Mr. K. George: That is under calculation, and an accurate figure it is not possible to give.

Mr. Nedumangad R. Kesavan Nair: May I know the approximate amount?

Mr. K. George: It will be about a lakh or a lakh and a half.

The Demand was then put to vote and carried and the grant was made.

DEMAND II—MEDICAL.

Mr. K. P. Raman Pillai: Sir, I rise to move for a grant not exceeding Rs. 9,57,910, under Demand II—Medical Department.

Mr. K. M. Korah (*Vaikam, Kottayam and Changanacherry cum Peermade*): Sir, I rise to oppose the demand to draw the attention of the Government to the need for starting floating dispensaries in Kuttanad. Sir, in Kuttanad, the harvest begins in the middle of Kumbham and goes on till the middle of Medam. During this period, the labourers from different parts of the country come to Kuttanad and live in temporary huts built on the bunds themselves. There is scarcity of water, and the water available is bad. The whole atmosphere is unhealthy. Very often these labourers get contageous diseases like cholera. When such diseases break out, the agriculturists are put to very great difficulty in procuring medical aid. I therefore request the Government that floating dispensaries may be established at least during the period between the middle of Kumbham and the middle of Medam.

My next point is the urgent need for a dispensary at Manimala. This is a matter which has been agitated upon by the representatives of the people for the last many years. Now the people of Manimala have to go either to Kanjirapally or to Changanachery for their medical needs. They are put to very great inconvenience. I therefore request that a dispensary may be started at Manimala at an early date.

Then, Sir, there is no dispensary in any of the Kuttanad villages belonging to the Changanacherry taluk. If it is not possible for the Government to start rural dispensaries in these Kuttanad pakuthies of the Changanachery taluk, they should at least give grants to qualified doctors who come forward prepared to give rural medical aid for these people.

With these observations, I oppose the demand.

Mr. P. R. Goda Varma Raja (*Edavagai*): Sir, I oppos the demand mainly on the ground that this department has not provided adequately for medical relief for the rural parts in the hilly tracts of the country where, during monsoon, many diseases are prevalent. There is no doubt that some of the towns in the State get some medical relief. But they are not of any use to the rural population, especially those in the hilly tracts. The dispensaries are now very far off from the hilly parts of the State. As a matter of fact, Sir, it was after considerable effort on our part that we got a bi-weekly dispensary established at Poonjar. The doctor of the Lalam hospital is expected to visit this dispensary twice a week. In the rainy season it is very difficult for him to cross the river at Erattupetta where two rivers meet. Due to lack of sufficient communication it is very difficult for the doctor to come to Poonjar. The figures mentioned in the Government publications will show that there is a large number of patients who attend this bi-weekly dispensary. It has now become absolutely necessary to convert it into a daily dispensary. I hope the Government will take the matter into their serious consideration and save the people from the difficulty and trouble of having to go to distant places to get medical relief.

I would in this connection urge the need to provide cheaper medical aid by encouraging Ayurveda which is comparatively cheaper and more efficient so far as the masses in Travancore are concerned. If, instead of the fabulous amounts now being spent on the importation of foreign medicines, a small portion of it is diverted towards the encouragement of Ayurveda and other indigenous systems of medicine like the Sidha system, more people can be served at a cheaper cost. The herbs are grown here, and it is very easy to prepare the medicines; only, we have to organise the department of Ayurveda on modern lines and remodel it to cope with modern conditions. I hope the Government will give due consideration to this very important question. With these observations, I resume my seat.

Mr. Sultan Muhiadeen (*Trivandrum and Nadumagad* cum *Chirayinkil*): സർ, പാവപ്പെട്ട ആളുകളെ ഉദ്ദേശിച്ചാണല്ലോ ഇവിടെ ധാരാളം ആശുപത്രികൾ സ്ഥാപിച്ചിട്ടുള്ളത്. ഏതെങ്കിലും ആശുപത്രികളിൽ മരുന്നു തീർന്നുപോയാൽ ഇൻഡന്റു അയച്ചു വളരെ ദിവസം കഴിഞ്ഞാലും സ്റ്റോറിൽ നിന്നും മരുന്നു അയച്ചു കൊടുക്കുന്നില്ല എന്നുള്ള സംഗതി ഇവിടെ പ്രത്യേകം പ്രസ്താവിക്കേണ്ടിയിരിക്കുന്നു. എന്തെങ്കിലും ഒരു രോഗം വന്നാൽ അതിന് അവശ്യം ചേർക്കേണ്ട എല്ലാമരുന്നുകളും ചേർത്തു കൊടുത്തില്ലെങ്കിൽ ആ രോഗം ഏളു

[Mr Sultan Muhiadeen]

വിധത്തിൽ ഭേദമാകുമെന്നു മനസ്സിലാകുന്നില്ല. ഇങ്ങനെ ആശുപത്രികളിൽ മരുന്നില്ലാതെ വരുന്നതു സാധുക്കളെ സംബന്ധിച്ചടത്തോളം വളരെ സങ്കടകരമായ ഒരവസ്ഥയാണ്. ധനവാന്മാർക്കാണെങ്കിൽ ഒരു പക്ഷേ മരുന്നില്ലാ എന്നുവന്നാൽ തന്നെയും അവരുടെ പണം കൊടുത്തു മരുന്നുള്ള സ്ഥലത്തുനിന്നും വിലക്കു വാങ്ങിയെങ്കിലും സുഖക്കേടു ഭേദപ്പെടുത്താൻ സാധിക്കും. പാവപ്പെട്ടവർക്കു മരുന്നുകൊടുക്കാതെ മരുന്നിന്റെ പേരു കുറിച്ചു കൊടുത്തതുകൊണ്ടു ഒരു വിശേഷവുമില്ല. അതിനാൽ ആശുപത്രികളിൽ മരുന്നുകൾ അയച്ചുകൊടുക്കുന്ന വിഷയത്തിൽ ഗവൺമെന്റു കൂടുതൽ ശ്രദ്ധ പതിപ്പിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

മുസ്ലീം സ്ത്രീകൾ സാധാരണ ഘോഷാ സമ്പ്രദായം അനുഷ്ഠിച്ചു വരുന്നവരാണ്. അതുകൊണ്ടു അവർക്കു എന്തെങ്കിലും സുഖക്കേടുവന്നാൽ പുരുഷന്മാരായ ഡാക്ടർമാരുടെ അടുക്കൽ പോകുന്നതിനു അവർ വളരെ വൈമനസ്യം കാണിക്കുന്നുണ്ട്. പ്രധാന മുസ്ലീം പട്ടണങ്ങളിലെ ആശുപത്രികളിലെല്ലാം മുസ്ലീം സ്ത്രീകളുടെ ആവശ്യത്തിനായി ലേഡി ഡാക്ടറന്മാരെ നിയമിക്കണമെന്നു ഞാൻ ഗവൺമെന്റിനോടു ആവശ്യപ്പെട്ടുകൊള്ളുന്നു.

Mr. Nedumangad R. Kesavan Nair : ലേഡി ഡാക്ടർ ഇല്ലാത്ത മുസ്ലീം പട്ടണം ഏതാണെന്ന് മെമ്പർക്ക് പറയാമോ?

Mr. Sultan Muhiadeen : കായംകുളത്തില്ല.

അടുത്തതായി ഞാൻ പറയാൻ വിചാരിക്കുന്നതു മെഡിക്കൽഡിപ്പാർട്ടുമെന്റിൽ മുസ്ലീമിങ്ങളുടെ പ്രാതിനിധ്യത്തെപ്പററിയാണ്. ഏകദേശം മൂന്നുനാലുമാസക്കാലത്തിനുമുമ്പു വരെ മുസ്ലീമങ്ങൾക്കു മെഡിക്കൽ ഡിപ്പാർട്ടുമെന്റിൽ പ്രാതിനിധ്യമേ ഉണ്ടായിരുന്നില്ല. മൂന്നുനാലുമാസത്തിനു മുമ്പു എങ്കിലും ഒരു മുസ്ലീം മെഡിക്കൽ ഗ്രാഡുവേററിനെ ആദ്യമായി നിയമിച്ചുകാണുന്നതിൽ ഞങ്ങൾക്കു വളരെ സന്തോഷമുണ്ടു, ഇപ്പോൾ മെഡിക്കൽ ഡിപ്പാർട്ടുമെന്റിൽ ഉദ്യോഗത്തിനു യോഗ്യതയുള്ള മുസ്ലീമിങ്ങൾ തിരുവിതാംകൂറിൽ ധാരാളമുണ്ടെന്നു ഡിപ്പാർട്ടുമെന്റദ്ധ്യക്ഷനുതന്നെ അറിയാം. അതുകൊണ്ടു ഇപ്പോൾ ഉദ്യോഗത്തിലിരിക്കുന്ന മുസ്ലീം ഡാക്ടറെ വേണ്ടവിധത്തിൽ പ്രോത്സാഹിപ്പിക്കയും യോഗ്യതയുള്ള മുസ്‌ലീം മെഡിക്കൽ ഗ്രാഡുവെററ്സിനെ മെഡിക്കൽ ഡിപ്പാർട്ടുമെന്റിൽ നിയമിക്കുകയും ചെയ്യണമെന്നു ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I rise to support the demand. With your permission I will refer to the very valuable work done by the Sugeon-General who just now left us, Dr. James Simpson. All the non-official members are united in in the view that in him we had a very able Surgeon General who went about his business without any bossing, who knew his work and who had academic qualifications also to do the work. I am also glad, Sir, that after all the Government have recognized that well qualified Indians are as good as Europeans to do the work of the Surgeon-General and especially on the appointment of Dr. (Mrs.) Lukose. I am also glad that another Doctor is in our midst to deputise for the permanent Surgeon-General.

As a member representing Alleppey I am grateful to the Government for opening the Mullakkal dispensary which has proved to be one of the most popular dispensaries in the State. I am told that daily on an average there are more than 300 or 400 patients going to that dispensary.

In this connection, Sir, I wish to point out that Government must try some sort of honorary system as is tried by the Government of Madras. There is no point in increasing the salary of the doctors already in service when they are allowed to have private practice. If they are able men, certainly they will have private practice and it is really very lucrative in this line. On the other hand there are scores of qualified doctors now who find that they are not given any help or encouragement by the medical men in service. There is some sort of professional jealousy at work. They are not allowed to be taken as honorary doctors in hospitals. They are not given any facilities to attend hospitals or gain experience. It would be a wise thing hereafter not to appoint new doctors at all in the service, but to take in honorary doctors and give them some honorarium which will be a little more than the one granted in Madras. In that way we will be giving help to a body of well-qualified and competent private doctors in the State.

I also repeat the request for a hospital in Kuttanad, not only a hospital but also a few dispensaries. Sir, Kuttanad is a region by itself. The people there are practically amphibious. Without any exaggeration I may say that. It is a very peculiar place and it is only proper that somewhere in the centre of Kuttanad there should be a full-fledged hospital with dispensaries all round. Champakulam or Edathua may be chosen for the sight of a central hospital. With these words I support the demand.

Messrs. T. K. Kitten and Nedumangad R. Kesavan Nair both stood in their seats to speak.

President : Order, order. The system that I have adopted and which I propose to adopt is for the leaders of the various parties to give me, as soon as a demand is taken up, a list of the honourable members belonging to their respective parties, who wish to speak on that particular demand. Then I will ask them in turn to speak. That will conduce to convenience.

Mr. T. K. Kitten : സർ, കോട്ടയം പട്ടണം കോട്ടയം ഡിവിഷന്റെയും കോട്ടയം താലൂക്കിന്റെയും തലസ്ഥാനമാണ്. അവിടെ ഒരു ആശുപത്രി ഉണ്ട്. അതൊരു ആശുപത്രി എന്നു പറയാൻ കൊള്ളാമെന്നല്ലാതെ അതുകൊണ്ടു കാര്യമായ പ്രയോജനം ഒന്നുമില്ല. തിരുവനന്തപുരത്തു വന്ന് ആശുപത്രികളും മററു സൌകര്യങ്ങളുമെല്ലാം കണ്ടിട്ടു തിരിയെ വീട്ടിൽ പോകാൻ പോലും മനസ്സ് വരുന്നില്ല. കൊല്ലത്തുവന്നു നോക്കിയിട്ടും അങ്ങിനെതന്നെ. കോട്ടയംകാരോടു മാത്രം ഗവണ്മെന്റിനു ഇത്ര ദ്വേഷം തോന്നാൻ കാരണമെന്താണെന്നു എനിക്കു മനസിലാകുന്നില്ല. അതിനാൽ ഈയാണ്ടിൽതന്നെ കൊല്ലം ആശുപത്രിയ്ക്കുള്ള മാതിരി കെട്ടിടങ്ങളും സാധനസാമഗ്രികളുമെല്ലാം കോട്ടയം ആശുപത്രിയ്ക്കും ഉണ്ടാക്കി തരണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു. ഞങ്ങളെ ഇങ്ങനെ തരം താഴ്ത്തി ഇട്ടിരിക്കുന്നതു തലസ്ഥാനനഗരിയിൽനിന്നും ഞങ്ങൾ വളരെ ദൂരെ ആയതുകൊണ്ടായിരിക്കാം. കോട്ടയം ജനസംഖ്യയിലും മുതലെടുപ്പിലും വിസ്തീർണ്ണതയിലും കൊല്ലത്തെ അപേക്ഷിച്ചു ഒട്ടും പിന്നോക്കമല്ല. ആ സ്ഥിതിക്കു കൊല്ലം ആശുപത്രിയിലുള്ള മാതിരി സൌകര്യങ്ങൾ എല്ലാം കോട്ടയത്തും ചെയ്തു തരേണ്ടതാണ്.

കോട്ടയം ആശുപത്രിയിൽ സ്ത്രീകൾക്കു പ്രസവിച്ചു കിടക്കാനുള്ള സൌകര്യം തീരെയില്ല. അവിടെ നിന്നും പ്രസവത്തിനായി തിരുവനന്തപുരംവരെ വരിക എന്നുള്ളതും അത്ര എളുപ്പമല്ല. വഴിച്ചിലവിനുള്ള പണത്തിനു പോലും നിവൃത്തിയില്ല. അതുകൊണ്ട് ഈ സംഗതിയിലും ഗവണ്മെന്റിന്റെ ശ്രദ്ധ പ്രത്യേകം പതിയേണ്ടിയിരിക്കുന്നു.

ആശുപത്രികളിൽ ഔഷധികൾ രണ്ടോ മൂന്നോ മാസം കഴിയുമ്പോൾ തീർന്നുപോകുന്ന ഒരു പതിവാണ് ഇപ്പോൾ കാണുന്നത്. അതു കഴിഞ്ഞാൽ പിന്നീടു ഡാക്ടർമാർ മരുന്നു കുറിച്ചു കൊടുക്കയാണു സാധാരണ പതിവ്. പണക്കാർക്കു കുറിച്ചു കൊടുത്താൽ അവർ വല്ല സ്ഥലത്തുംചെന്നു മരുന്നു വാങ്ങിച്ചു കൊള്ളും. സാധുക്കൾക്കു മരുന്നു കുറിച്ചുകൊടുത്താൽ അവർ എന്തു ചെയ്യും? അതുകൊണ്ടു പാവപ്പെട്ടവർക്കു ഔഷധികൾ വരുത്തിക്കൊടുക്കാൻ വേണ്ട ഏർപ്പാടു ചെയ്യണം. ധനവാന്മാരിൽനിന്നും മരുന്നിനു വില വാങ്ങിച്ചാലും തരക്കേടില്ല.

ഒൻപതരലക്ഷം രൂപായാണു മെഡിക്കൽ ഡിപ്പാർട്ടുമെൻറിലെ ചിലവിനു ചേർത്തിരിക്കുന്നതു്. ഇതിൽ രണ്ടുലക്ഷം രൂപയാണു മരുന്നുകളും ശസ്ത്രക്രിയാസാമഗ്രികളും വാങ്ങിക്കുന്നതാനായി ചേർത്തിട്ടുള്ളതു്. അതുകൊണ്ടു മരുന്നുകളുടെ ആവശ്യത്തിനു പണം മതിയാവുകയില്ല. കൂടുതൽ പണംമരുന്നുകൾ വാങ്ങിക്കുന്നതിനായ അനുവദിക്കേണ്ടതു് അത്യാവശ്യമാണു്.

Mr. Kalloor Narayana Pillai: ഈ ഡിമാൻറിനെ ഞാൻ എതിർക്കുന്നു. തിരുവിതാംകൂറിൽ ഏതാനും കൊല്ലങ്ങളായി മലമ്പനി സാർവത്രികമായി പിടിപെട്ടുകൊണ്ടിരിക്കുന്നതായി കാണാം. ഇതു തിരുവിതാംകൂർ ഗവമ്മെൻറിൻെറ പ്രസിദ്ധീകരണങ്ങളിൽത്തന്നെ സമ്മതിക്കപ്പെട്ടിട്ടുള്ള ഒരു സംഗതിയാണു്.

President: Order, order. In giving the names, it will be useful if each party gave the names of three members for ordinary grants. If there is time I will allow more members to speak.

Mr. Kalloor Narayana Pillai: മെഡിക്കൽ ഡിപ്പാർട്ടുമെൻറിലെ കഴിഞ്ഞ വർഷത്തെ അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടു നോക്കിയതിൽ ഈ രാജ്യത്തു തന്നാണ്ടിൽ ൨൬൩,൮൯൭ ആളുകൾക്കു മലമ്പനി രോഗം ബാധിച്ചിട്ടുള്ളതായി കാണുന്നു. മലേറിയാ നിവാരണത്തിനായി ഗവമ്മെൻറു പലപ്രകാരത്തിലുള്ള ശ്രമങ്ങളെല്ലാം ചെയ്തിരുന്നിട്ടും ഈ രാജ്യത്തിൻെറ മൊത്തമുള്ള ജനസംഖ്യയുടെ ഇരുപത്തിയഞ്ചിൽ ഒരു ഭാഗം ആളുകൾക്കു ഈ രോഗം ബാധിച്ചിരിക്കുന്നു. അതുപോലെ "വയറുകടി" എന്ന രോഗവും ഇവിടെ ഒട്ടുംകുറവല്ല. കഴിഞ്ഞയാണ്ടിൽ ൮൯,൬൯൬ പേർക്കു വയറുകടി ഉണ്ടായിട്ടുണ്ടു്. ഈ രണ്ടു രോഗങ്ങളും പകരുന്നവയാണു്. ഇപ്രകാരമുള്ള രോഗങ്ങൾ ഉണ്ടാകാതിരിക്കത്തവണ്ണം എന്തെങ്കിലും മാർഗ്ഗങ്ങൾ കണ്ടുപിടിക്കേണ്ടതാകുന്നു. വയറുകടി രോഗം അധികം ബാധിക്കുന്നതു ദുർബൽക്ഷയം നിമിത്തം ആഹാരാദികൾക്കു വിഷമം നേരിടുന്ന സാധുജനങ്ങളുടെ ഇടയിലാകുന്നു. ഈ കാര്യത്തിൽ ഗവണ്മെൻറിൻെറ സത്വരമായ ശ്രദ്ധ ഉടനടി പതിയേണ്ടതാണു്.

ഈ രാജ്യത്തുള്ള ഡിസ്പെൻസറികളിൽ കാലാകാലങ്ങളിൽ ഔഷധങ്ങൾ എത്തിച്ചുകൊടുക്കുന്ന കാര്യം മിക്കവാറും കുഴപ്പത്തിലാണു കാണുന്നതു്. ഇക്കഴിഞ്ഞ മേടമാസത്തിൽ പത്തനംതിട്ട ഡിസ്പെൻസറിയിൽ കുറച്ചു് "അയിഡിൻ" എടുക്കുന്നതിനു നിവൃത്തിയില്ലാതെ വന്നു. ഞാൻ പ്രത്യേകം ഒരു ലററും കൊടുത്തു ഒരാളിനെ അയച്ചു. എൻെറ ലററ

[Mr. Kalloor Narayana Pillai.].

റിനെ ആദരിച്ചു സ്വല്പം അയഡിൻ കൊടുത്തയക്കാമെന്നു പറഞ്ഞു ഡാക്ടർ കുറച്ചു കൊടുത്തയച്ചു. സാധാരണയായി വർഷാവസാനം അടുക്കാറാകുന്നതോടുകൂടി മരുന്നുകൾ മിക്കവാറും തീർന്നുപോകുന്നതായിട്ടാണു കാണുന്നതു്. രാജ്യത്തു എത്രയധികം ഡിസ്പെൻസറികൾ സ്ഥാപിക്കാൻ കഴിയുമൊ അത്രയും സ്ഥാപിക്കേണ്ടതാണു്. ഡാക്ടറന്മാർക്കു പ്രമോഷൻ കൊടുക്കേണ്ട കാര്യമുണ്ടെന്നു തോന്നുന്നില്ല. അവർക്കു ഒരു സ്കെയിലനുസരിച്ചു്—അതു പരീക്ഷായോഗ്യതയെ അടിസ്ഥാനപ്പെടുത്തി ശമ്പളം നിശ്ചയിക്കുന്നതിനു വിരോധമില്ല—അതായതു എം. ബി. ബി. എസ്. പാസായവർക്കു ൧൫൦ രൂപാ, എൽ. എം. പി. പാസായവർക്കു ൱൫ രൂപാ എന്നിങ്ങനെ ഒരു സ്കെയിൽവച്ചു്—ചുരുങ്ങിയ ഒരു ശമ്പളംമാത്രം കൊടുത്താൽ മതിയാകുന്നതാണു്. അവർക്കു പ്രൈവററു പ്രാക്ടീസുണ്ടു്. കൂടുതൽ സാമർത്ഥ്യമുള്ളവർക്കു കൂടുതൽ പണം കിട്ടാനും വഴിയുണ്ടു്. ഇതിനുംപുറമെ തിരുവിതാംകൂറിൽ, എം. ബി ബി. എസ്സ്. പാസായി ജോലിയൊന്നുമില്ലാതെ നിൽക്കുന്ന നൂററിഅൻപതോളം ഡാക്ടറന്മാരുണ്ടു്. അവരെക്കൊണ്ടു റൂറൽ ഡിസ്പെൻസറികൾ സ്ഥാപിപ്പിക്കുകയും ഗവൺമെൻറു അതിലേക്കു അൻപതൊ നൂറൊ രൂപാ ഗ്രാൻറു കൊടുക്കുകയും ചെയ്താൽ അതു നാട്ടിനും അവർക്കും ഒരുപോലെ പ്രയോജനമുള്ള ഒരു കാര്യമായിത്തീരും. ഈ കാര്യം ഞാൻ ഇതിനുമുൻപും ഇവിടെ പ്രസ്താവിച്ചിട്ടുണ്ടു്. എൻെറ സ്നേഹിതൻ മി. ബാലകൃഷ്ണൻതമ്പി പ്രസ്താവിച്ചതുപോലെ ഓരോ ഡിസ്പെൻസറിയിലും ഇപ്രകാരം പരീക്ഷായോഗ്യതയോടുകൂടി ഇരിക്കുന്ന തൊഴിലില്ലാത്ത ഡാക്ടറന്മാരെ കുറെക്കാലം ചികിത്സ നടത്തുവാൻ ചുമതലപ്പെടുത്തുന്നപക്ഷം അവർക്കു സാമാന്യം നല്ല പരിശീലനം ആ വിഷയത്തിൽ കിട്ടുന്നതിനു ഇടവരും. പിന്നീടു അവർ റൂറൽ ഡിസ്പെൻസറികൾ നടത്തിക്കൊണ്ടുപോകുന്നതിനു നിഷ്പ്രയാസം സാധിക്കുകയും ചെയ്യും.

അവസാനമായി എനിക്കു പറയാനുള്ളതു ചെങ്ങന്നൂർ ആശുപത്രിയെ സംബന്ധിച്ചാണു്. ഈ രാജ്യത്തു ആകെ ൩൦ ഡിസ്ട്രിക്റ്റു കളാണുള്ളതു്. അവയിൽ കൂടുതൽ പ്രയോജനമുള്ള ചേർത്തല, മാവേലിക്കര, തിരുവല്ലാ എന്നീ ഡിസ്ട്രിക്റ്റു ആശുപത്രികളിൽ യഥാക്രമം ൫൨,൭൦൩-ം, ൫൦,൩൩൯-ം, ൪൨,൭൩൮-ം ആളുകളെ ചികിത്സിച്ചുവരുന്നതായി കാണുന്നു. എന്നാൽ ഈ മൂന്നാശുപത്രികളെ അപേക്ഷിച്ചുനോക്കുമ്പോൾ ചെങ്ങന്നൂർ ഡിസ്പെൻസറിയിലെ രോഗികളുടെ സംഖ്യ ഒട്ടുംതന്നെ പിന്നോക്കം നിൽക്കുന്നില്ലെന്നു കാണാവുന്നതാണു്.

കഴിഞ്ഞകൊല്ലം അവിടെ ൧൩,൩൭൯ പേരെ ചികിത്സിച്ചിട്ടുണ്ട്. ഇങ്ങനെ മെഡിക്കൽ ഡിപ്പാർട്ടുമെൻറിൻെറ അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടുകൊണ്ടു ചെങ്ങന്നൂർ ഡിസ്പെൻസറിയെ ഒരു ഡിസ്ട്രിക്റ്റ ആശുപത്രിയാക്കി ഉയർത്തേണ്ട ആവശ്യം ഉണ്ടെന്നു കാണാവുന്നതാണ്. ഇക്കാര്യം സർജൻ ജനറൽ ഗവൺമെൻറിലേക്കു ശുപാർശ ചെയ്യുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

Mr. M. S. Anirudhan : Sir, I like to offer a few remarks on this demand. The Alleppey hospital has been brought to the notice of Government and its needs are not sufficient to meet the requirements. There are not sufficient beds or doctors or appliances. It is one of the most thickly populated places in Travancore. It is one of the primary duties on the part of Government to enlarge the Alleppey hospital. We have been appealing to Government for a maternity hospital and the Government have already conceded the necessity for opening a maternity hospital but it is unfortunate that nothing has been done as yet in the matter.

A word about the Kalavoor dispensary. It was after many memorials and deputations by the Kalavoor people that a dispensary was established there. It remained there for some time. But unfortunately the dispensary has been removed to Chettikad, 4½ miles away from Kalavoor, just to oblige a private gentleman who was able to provide a building rent free. In answer to an interpellation put by me, the Surgeon General said that the dispensary has been removed from Kalavoor, for the reason that suitable buildings were not available. Kalavoor is a place where suitable buildings are available if the Government had made an attempt to take a building on rent. Presumably, what the Surgeon-General meant was that no suitable building was available rent-free. From this it has to be understood that if the people of Kalavoor want a dispensary they must pay for the rent. This is really very unfortunate. Under the circumstances I would appeal to the Government to shift the dispensary again to Kalavoor and a building may be either put up or one may be rented.

I would urge upon Government the necessity for putting up more rural dispensaries. Medical aid obtaining in the villages is very poor in quality. No facilities are obtained in the dispensaries. I am in full agreement with the honourable member Mr. Korah in establishing floating dispensaries at Kuttanad during harvest season.

Mr. Nedumangad R. Kesavan Nair: Sir, I also support the demand. In doing so I would bring to the attention of the Surgeon General certain important necessities. As a result of the

[Mr. Nedumangad R. Kesavan Nair.]

representations that were made to the head of the administration and representations made on the floor of the House, a temporary dispensary was sanctioned at Kattakada last year. It was conceded in the Medical Department Administration Report for the year 1112, that there was a terrible outbreak of malaria towards the close of that year at Kattakada. A temporary dispensary was opened there and it is continuing even now. After the temporary dispensary came into existence many patients are treated there for malaria and also for other diseases. In Kumbham 1113, the attendance of patients was something like 4157. During that time other patients were also treated. For the subsequent months, the attendance was on the increase. I understand that, during the last Edavam, the attendance was 5109 patients. It has been brought to my notice that, there is an attempt on the part of some members to see that the temporary hospital that was kindly sanctioned there is stopped. It seems there is a Salvation Army hospital at Kattakada. A petition has been received from them to the effect that they are prepared to undertake the treatment of patients, provided, the expenses that are incurred for this hospital is given to the Salvation Army as grant and thereby attempts at stopping that temporary dispensary are made. This is what I gather now from the state of affairs existing there. Probably a petition to that effect might have come to Government also from the Salvation Army hospital. I am told now that the Surgeon General had been to Kattakada last Sunday along with Dr. Noble, to enquire into the matter. I do not know how far that information is correct. If there is any such idea and if there is any truth in such a petition being sent, I request Government to understand the real position. No patient goes unattended in the new hospital. But, in the Salvation Army hospital there is some sort of compulsion imposed on all patients before they are treated. He has to go to the prayer hall before he is being treated for his disease. There is some payment to be made by a patient. It is otherwise called "Kanikkai". I am speaking all this with reference to the Salvation Army hospital. If these two things are done probably the Salvation Army hospital may be treating the patients gratis. After the advent of the temporary hospital run by the Government I do not understand the reason why it should be abandoned for the sake of the Salvation Army hospital. I request the new Surgeon General to go into the records of daily attendance registered in the Kattakada hospital. I may also inform the House that the Director of Public Health has also visited the place as a result of memorials sent to him. Before the matter is disposed of, I request the Surgeon General to get the

proper figures of attendance and if those figures justify the continuance of the hospital, let it be continued there. No amount of the rival organisations' prayers should be allowed to stand in the way of the continuance of the hospital.

A word about the Vidura Hospital. It was established there during the time of Dewan Sir Mahomed Habibullah. He visited the place and found the necessity therefor. It was then established as a permanent measure. Then there was a midwife too. Subsequently the hospital was stopped. Then it began as a tri-weekly hospital without the medicine. Memorials were sent for the conversion of the tri-weekly hospital to a daily one. The Director of Public Health inspected the place. If the Government will be pleased to call for the figures of attendance in the hospital, they will be convinced of the necessity of continuing a hospital there as a daily dispensary.

I turn my attention to the General Hospital. In reply to a question sent by Mr. Anirudhan, last Makaram, namely, whether the beds in the General Hospital were full of bugs. Dr. Simpson said that there was nothing of the kind. Sir, I am sorry I have to challenge that fact. There is not a single bed in the hospital that is not without an army of bugs. I am personally convinced of that fact since I have seen it. I questioned the Medical Officers also in the matter. I do not want to mention their names. In the open House the Surgeon-General said that there are no bugs in the beds. He also admitted that if there are bugs they will act as carriers of diseases. At least that point was conceded by the Surgeon-General. But he did not concede that the beds contain a good number of bugs. If the admission of the Surgeon General that bugs could act as carriers of diseases is right, it is really hard for the unfortunate patients. If the head of the administration goes to the hospital it may not be difficult for him to see the bugs. The Government should take proper steps in the matter. I may say that there is not a single iron cot without bugs.

President: The honourable member will please try to conclude.

Mr. Nedumangad R. Kesavan Nair: I have only to say one point.

President: The honourable members will remember that unless the head of the department gets at least 15 or 20 minutes to answer the points raised in the course of discussion, it would not be satisfactory to the members who raised them.

Mr. Nedumangad R. Kesavan Nair: One point more and I am done. In answer to another question, the Surgeon-General said that there were 231 beds in the General Hospital. But the patients admitted on 25-5-13 would show that their number was 494 with the result that more than two hundred patients were allowed to lie on the floor. Four new wards have been constructed, but the patients were lying on the floor in spite of that. I leave the matter there for the House to draw the inference.

One word about the Lunatic Asylum. I had either the good fortune or misfortune, some two months back, to visit the hospital. I found a number of lunatics there being allowed to go their own way. There I went to the ferocious ward where I saw a lunatic continuing to jump to his utter satisfaction. I am sure even now he will be seen jumping if he has not been liberated from that institution. He was found continually jumping with the result that his body has been considerably reduced. I asked the authorities what kind of medicine was given him. My information was that no medicine was given to that lunatic for the matter of that no medicine is given to any lunatic. I do not know *materia medica.* Some medicine could have been administered by the doctors. Some sort of treatment at least could have been given. But one thing I may say and that is that there is nobody to represent their case here. That particular lunatic was allowed to continue there in that fashion. That shows a sad state of affairs to say the least of it.

Mr. A. Easwara Pillai: Sir, I support the demand. It is a well-known fact that long before the expiry of the year, medicines in the hospitals run out. Scarcity of medicine is a common plea in all the hospitals in the State. If the medical officers were asked about the matter, they will simply say that medicines have run out. I attribute this to two reasons. Either there is leakage from the medicine in stock or there is shortage of supply of medicine. If the former is the case, I request the Surgeon General to make a searching enquiry into the matter. If the latter is the case, I ask the Surgeon General to come to this House and demand a larger amount for purchasing larger quantity of medicine. My impression is the allotment of 2 1/2 lakhs of rupees for medicine and surgical appliances and instruments will not be sufficient. This House will be willing to grant a reasonable amout for this purpose.

It is usually said that the number of hospitals in the State is not sufficient. In some taluks, there are hospitals; in some others, there are dispensaries. I ask the Government, why this invidious distinction is made. Government should treat all the citizens alike.

Medical aid is an absolute necessity for all people whether they live in cities or villages. In some places Government have munificently given hospitals. In Kottarakara there is a dispensary for the whole taluk. Kottarakara is a crowded place but the dispensary is in a miserable condition. It is put up in a rented building which is on the verge of dilapidation and ruin. It cannot be characterised as a dispensary at all. It is more or less a cowshed. No beds are provided for in-patients. People will shudder to go into such a filthy dispensary. If the Government cannot find their way to improve its condition it may be desirable to abolish the filthy establishment. A few years' rent for that ruined building will be sufficient to construct a decent hospital in the place. I request the Government to bestow proper attention in the matter and elevate the dispensary into a first grade hospital.

Mr. R. V. Thomas: I rise to oppose the demand just to point out that there is widespread corruption among the subordinate staff of the department. I know that as a matter of fact and I even have personal experience. I can point out one or two places in my own constituency. I do not quarrel with the Medical Officers in charge of the institution. But it is the compounders, who are directly responsible for disbursing the medicine, that extract money from the people. In one case they actually threatened a patient by saying "we are the custodians of your lives and unless we compound all the medicines as prescribed by the Medical Officer, you will be put to death". There is a widespread impression in the land that unless we go to the hospital with money in our pockets there is absolutely no necessity for going to the hospitals. I want to bring this fact to the notice of the Surgeon-General so that he may take proper action if individual cases of curruption are brought to his notice. Unless severe punishment is given, corruption will be going on.

I wish to speak about a hospital at Meenachil. In point of strength of attendance the District Hospital at Lalom stands in the first rank. There are two Medical Officers. One is a Sub-Assistant Surgeon who has to attend to the dispensary at Poonjar, a bi-weekly dispensary, and therefore the Lalom hospital has not got the benefit of two full time officers.

President: Order, order. The honourable member has exceeded his time.

Mr. K. P. Raman Pillai: From the speech of many of the honourable members I find that there is a common complaint about the medicine supply. The amount allotted this year for European drugs is Rs. 2 lakhs. It includes medicines, appliances, and all such things. We are supplying all the institutions as much drugs as possible. Medical Officers, on the first of Edavam of

[Mr. K. P. Raman Pillai.]

every year, calculate the requirement for the year and send the indent. The calculation is made not for one year but for 18 months, so that even if it happens that the supply reaches them a little late, the medicine should not run short in the 12 months. That is the idea why we give 18 months' supply. In some cases we give even 21 months' supply. In addition to that the Medical Store is ever ready to supply medicine as much as possible when required by the Medical Officers. One honourable member said that medicine is not supplied to hospitals for a long period when asked for. The department has to deal with 100 or 150 medical institutions. Sometimes it may take one month for the medicine to reach particular areas. No undue delay is caused for the supply of medicines. As I said before, the quantity of the medicine depends upon the requirements of the hospital.

Mr. Nedumangad R. Kesavan Nair: May I know which are the 150 institutions ?

Mr. K. P. Raman Pillai: Hospitals and dispensaries together will come to more than 100. We always take care to see that the institutions are supplied with as much medicines as possible. But you cannot expect the Government to supply all drugs in the pharma copia to a hospital. Suppose, for instance, a man in Koothattukulam requires 100 tubes of salvarsan. We will not be able to supply that from the stores. But all reasonable demands will be met with. There are institutions which have come to my notice from where such demands have been made. Reasonable demands are always complied with.

Then about the distribution of dispensaries. Many honourable members have been talking about the distribution of dispensaries. Government would like to give one dispensary each at the door of every citizen. But it is not within the reach of Government to do that. Government have undertaken the work of re-distribution of the hospitals and dispensaries of the State. When this scheme is finished, I hope, the taluks, especially in North Travancore, will have sufficient opportunity of getting reasonable medical aid.

The honourable member Mr. Kittan was speaking about the Kottayam District Hospital. That hospital is housed in an old dwelling house. Government have made several improvements and it now accommodates nearly 80 patients. Recently, two gentlemen have come forward with a donation of Rs. 15,000 for putting up a pucca building. Government are thinking of constructing a good hospital there. Under the new reorganisation scheme, I can assure that the Kottayam District Hospital is going to be a pucca hospital. But the people will have to co-operate with Government and supply the needs.

In the north of Kottayam, in Muvattupuzha and other places, we expect to give one or two good hospitals by raising the existing District Hospitals into big hospitals. Dispensaries will be so arranged as to serve as feeders to these hospitals.

The honourable member Mr. Raja demanded that Poonjar dispensary must be converted into a daily dispensary. Even now there are not sufficient number of patients, and I doubt whether it will pay the trouble for raising it into a Daily Dispensary. Anyhow we will look into the matter when the reorganisation scheme is taken up.

Now I come to the question of medical aid in Kuttanad. Certainly a moving dispensary is desirable. But I may ask the big agriculturists of Kuttanad just to look at what is taking place in the estates in the hills. They are having their own dispensaries for treating their coolies. I would ask the big agriculturists of Kuttanad to give temporary medical aid to their coolies who come to them during the harvest season. After all, it is only for two months. Government are prepared to give as much help as possible. But I do not know whether people are justified in asking the Government to shoulder the whole burden for the sake of the rich agriculturists there.

Mr. K. M. Korah ; May I know from the member whether he is aware that the agriculturists there are not in a position to contribute anything to the State?

Mr. K. P. Raman Pillai : There may be a temporary depression on account of the fall in the price of rice and copra. To ask for a floating dispensary for the whole area......

Mr. K. M. Korah : May I inform the member that before 1105 the rich agriculturists in Kuttanad were doing like this?

Mr. K. P. Raman Pillai : I am aware. We have got three dispensaries in Kuttanad, and there are qualified doctors in charge of them and we supply medicine to them. As for a dispensary in the taluk of Changanachery within Kuttanad, Changanachery is only eight miles from Pulinkunnu and it will not be difficult for anybody to go to that hospital. If one has got a dispensary within five miles radius I do not see the reason why he should have another dispensary close by.

Mr. K. M. Korah : May I know whether there is sufficient means of communication in Kuttanad?

Mr. K. P Raman Pillai : I am quite aware of that. It will be worse during cultivation season. But in every place there s this difficulty. In some cases it may be on land. For instance, n the whole tracts of Muvattupuzha and Thodupuzha, villages are ew and far between and there also we have to give medical aid.

President : The honourable member has got only three minutes more and he has not reached at the question of bugs.

Mr. K. P. Raman Pillai : We are appointing lady doctors in all big hospitals where there is acute demand for them. But in most of the places women have very little objection to being treated by men. But certainly, wherever such sentimental objections exist we are appointing as many lady doctors as possible.

Now I come to Mr. Anirudhan's point about Alleppey. The Alleppey hospital is one of the first grade hospitals in the State. It is housed in a very old building. Government are aware of the fact that it has not got all up-to-date facilities. But it is better than the Kottayam hospital. When the new reorganisation scheme is put into effect Alleppey will have a well-equipped hospital.

Next I come to Mr. Kesavan Nair's complaints about Kattakada. It is true, Sir, that I visited Kattakada in the company of Doctor Noble. He wrote to the Surgeon-General that there are fever dispensaries in those parts. So I visited those dispensaries. There are two hospitals in that place. Both of them have more than 150 out-patients each and the Salvation Army hospital has 90 patients in addition.

Mr. Nedumangad R. Kesavan Nair: Am I to take it that it is the Surgeon-General's view that the Government hospital will also be continued ?

Mr. K. P. Raman Pillai : As matters stand at present, I am of the opinion that these two dispensaries are not too much for the place.

Now, Sir, about Mr. Kesavan Nair's complaint about the General Hospital, I have to say a few words by way of reply. When an in-patient is discharged we are taking all manner of precautions to destroy all the bugs in their cots. We put cots, etc., outside in the sun and also heat them.

Mr. Nedumangad R. Kesavan Nair : May I know how the bugs are found in such a menacingly large numbers inside the wards ?

Mr. K. P. Raman Pillai : Sir, these are imported by the patients from outside.

Mr. Nedumangad R. Kesavan Nair: Sir, I wish to hear something from the Surgeon-General about the jumping lunatics.

Mr. K. P. Raman Pillai : About the lunatics who are of a very violent nature I have to say only this much. Sir, I visited the asylum and I too saw some of those violent cases. Some of them are manifestly very violent. Some others always assume a drooping attitude

President: The honourable member's point was that these violent types should be treated.

Mr. Nedumangad R. Kesavan Nair: I want to know whether any sort of medicine is administrated to them.

Mr. C. V. Chandrasekharan: Could they be treated and cured if they become members of the State Congress?

Mr. Nedumangad R. Kesavan Nair: Sir, we shall not be tarnished with blackbrushes like this.

President: It was intended as a joke, but I think that it was better not to have said that. I hope no offence was meant by the honourable member.

Mr. C. V. Chandrasekharan: I did not mean any offence, Sir.

Mr. K. P. Raman Pillai: Present day treatment does not admit of the use of many depressent drugs in insanity. Treatment is mostly psychical and must be left to the discretion of the doctor. About the Chengannur dispensary being converted into a hospital, Chengannur is only 9 miles from Mavelikara and 6 miles from Tiruvalla.

President: The honourable member has exceeded his time.

The demand was then put to vote and carried and the grant was made.

DEMAND III—PUBLIC HEALTH AND SANITATION.

Dr. M. K. Gopala Pillai: Sir, I beg to move for a grant of Rs. 2,98,409 under Demand III—Public Health and Sanitation.

Mr. M. K. Ananthasiva Aiyar: Sir, I oppose the demand. My reason for opposing the demand is to bring to the notice of the Government and the Director of Public Health the urgent need of the people who live in the water-logged area of Kuttanad. The most essential thing that is required to preserve the health of the public is the supply of good drinking water which is not available in Kuttanad. The water that is being used by us for drinking purposes may be compared with the water of the Cooum river that flows through the city of Madras. The peculiarity of our rivers is that when any animal dies near the banks of the river up in the country, what the people do is to throw the carcase in the river which is taken down to our parts and they are kept in the water floating up and down according to the ebb and flow of the backwater. Further, anyone who has gone by boat from Alleppey to Changanachery might have observed a sort of small sheds on the banks projecting to the river. These are latrines of the people

[Mr. M. K. Ananthasiva Aiyar.]

living on both sides of the river. Sir, it is this water that we are drinking. I asked a medical man about the qualities of this water. He told me that we are consuming filthy matter every day, though in very small quantities. Generally, friends from Trivandrum or from other parts who come to our place hesitate to drink this water. It is high time for the Government to open their eyes to this state of affairs and I would impress upon the Director of Public Health to consider this problem in all seriousness. With these words, I oppose the demand.

Mr. R. V. Thomas: Sir, I oppose the demand. I should like to impress upon the Government that the amounts allotted for public health and sanitation is not adequate. For a progressive State like Travancore everybody would expect that some bigger amount will be allotted to be spent on public health and sanitary activities which are conducive to the welfare of the people. Fell diseases like malaria, cholera, tuberculosis, &c., snatch a heavy toll of human life every year. I concede that the problem of urban sanitation is satisfactorily solved but the rural needs in regard to this are yet to be looked into. Sir, all the major towns of the State have been provided with amenities such water supply and drainage, while the rural Travancore is deplorably left in the lurch. Sir, the backbone of the State is the agricultural population who inhabit the rural parts. And it is in these parts that contagious diseases like malaria, typhoid and even tuberculosis do havoc. Government have not formulated any scheme so far as rural sanitation is concerned in order to eradicate these fell diseases. In this connection I would like to point out to Government that even though provision is made in some places to give free anti-typhoid injections, the opportunity is not availed of by the people to the extent desirable. The Government officers responsible for this work seem to be very slow to educate the people on that particular point. Anyhow the opportunity afforded by Government is not utilised to the best advantage. I would also request the Surgeon-General to issue some circulars to the medical officers of the respective hospitals of the State to the effect that they should advertise the advantageous effects of anti-typhoid and anti-tuberculosis injections in some prominent place in the hospitals. Unless some such advertisements are made to attract the public these opportunities will not be availed of by them. I would also like to point out to the Government that they should not pay heed to the suggestions made by certain honourable members that special legislations should be enacted in respect of birth control or birth prevention and this

should be initiated by the Government. I am of the view that Government should not take part in such pernicious propaganda and they should not tolerate the same in the State Sir, my religion also does not allow me to be a party in the matter of doing propaganda for birth control or birth prevention. I am glad to note in this connection that Government have not indicated their willingness to take up the suggestion made to them. If there is any propaganda which is intended to be made, it should be free from such things as birth control and birth prevention.

Turning to my constituency I must say that the fell disease, anthrax, is very rampant there. Many people are yearly being taken away by this disease. I am given to understand that this anthrax will very easily spread from the animals to human system. I would also like to urge the attention of the Health Director to the fact that there were two cases of anthrax infected men and in some cases the infection was very great. I would like to request the Director of Public Health to give some very efficient and material propaganda as well as treatment for anthrax in places where the disease is observed.

Mr. Eric Hall (*Travanacore Planters*): Sir, there is one matter which deserves Government's attention. This country is becoming invaded by starving dogs. I have had several cases of rabid dogs in my own District. This is not a matter to be taken lightly. It is regrettable to see that nothing is done to remedy the danger of these miserable canines increasing all over the country. If the department can arrange, or the officer in the District can arrange, for persons to go round with guns and shoot them, it will be safer for the people. It will be a boon to the country if all these dogs are done away with.

Mr. G. Narayana Aiyar: Sir, I oppose the demand. It appears that the activities of the Director are to be confined to the capital and neighbouring parts alone and he has not given any sort of attention to the northern parts He has not even visited the public offices in my constituency. The facilities even for the elementary necessaries are absent there. I heard the Director say in the other House that it was not possible to supply good water to people at Vadakkekara pakuthi in Parur taluk. I can't understand the reasons for that, Sir. The Director may not have even visited the place. This is an important place in Parur taluk. It has a population of more than 40,000 persons and an area of nearly 4 sq. miles. The land tax that we pay amounts to more than Rs. 26,000. The excise revenue from that area exceeds a lakh of rupees. The whole area is water-logged, surrounded on all sides by salt water and fully planted with cocoanut plants. It is not at all justifiable to say that good drinking water cannot be obtained

[G. Narayana Aiyar.]

in a place surrounded by salt water. Probably this is a neglected corner to which the attention of the Director has never reached. This state of affairs is highly regrettable. Tube wells or the sinking of other kinds of wells is the best method for getting good drinking water in such places. The experiment has succeeded in various other places. In Alleppey and other such places the supply of good drinking water was found possible and is facilitated. But in this place, where the people are very poor and hard hit by the low price of cocoanut products and where they badly need good drinking water, there is nothing done. I request the Public Health Director to visit the locality at once. He will then be struck with the distressed condition of the people and find out the means of supplying them with good drinking water.

As I said, the Director might not have visited our place. There is a Munsiff's Court in Perumpavur. It is located in the Sathram House. It is now twenty-five years since the Government sanctioned the necessary amount, for constructing a suitable building. There is no urinal attached to the present court house. The attention of the High Court and the Government was drawn to this and allotments have been made. But, afterwards nothing is being done. People use the court premises as their urinal. The sanitary officer is helpless. Perumpavur has now become a big mosquito centre. The reason for this is unknown. I would request the Director to visit the place and to do all that is possible to improve the sanitary condition of the place. The people there also deserve all help from the Government. They also pay Government tax just as others.

I oppose the demand, with these words.

Mr. N. V. Chacko: Sir, I wish to speak supporting Mr. G. Narayana Aiyar's statement. Parur is a very unhealthy place. In the taluks of Muvattupuzha and Kunnatnad, there are several malarial places. In the Devicolam taluk in spite of the good and efficient Hospital maintained by the K. D. H. P. company, several places are being ravaged by malaria. Even typhoid and Pneumonia are becoming almost as common as cold in these taluks. Probably most of the people in the taluk of Parur are subject to the hook-worm disease. These diseases are easily communicated from person to person and place to place.

As to good drinking water, I would like to say that the Alwaye river water can be taken to the Vadakkekara area in the Parur taluk. If people in Cochin can divert the water from the Alwaye river for their use, why not utilise the good water that we have in this way.

The District Court compound, though a big one, is over-flooded with water during rainy season. The water does not flow out of the compound ; it has either to sink down or evaporate. The condition of the place is very unsatisfactory and insanitary.

Then a word about the markets. In most of the markets in Travancore there is no satisfactory sanitary arrangement but in-sanitation seems to be concerned there. While I was travelling from Alwaye along the public roads, I was chased by a bad smell for some seconds even though the vehicle was running at thirty miles speed, due to the insanitary condition of the public roads. To remove this condition and to make more sanitary arrangements and also to maintain public health, more hospitals are required in North Travancore. In fact, some of the existing hospitals in these parts are not kept in good condition. There are cases where people have got infection from the hospital. The Public Health Director is not aware of these facts. He is not seen in these places. Probably he is leaving us to shift for ouselves. I would request the Director to extend his vision and attention to those places and improve the condition of the people there.

Mr. James Fletcher: Sir, I take this opportunity of bringing to the notice of the House the fact that many of the northern pakuthies of Neyyattinkara, Vilavankod, and Kalculam are having malaria in a very severe form. I am aware that Government have sent a few doctors and members of the Sanitary Department to do whatever they can and after all, the result has been that malaria caused the death of many people. Those who escaped death are now seen to be unfit for any exertion. Those who were once attacked by malaria and escaped death are unfit for anything whatever. Though they have escaped death they are getting the fever now and then. I am doubting whether the treatment given them is satisfactory. To my mind the malaria is a tropical disease and that could be prevented or cured only by tropical medicines. The English medicine is not the proper remedy for administering to malaria-attacked people. Those who have taken the English medicine have become thin and pale. That is the effect that English medicine, quinine, has brought about to the health of the people who have survived the disease. I would therefore suggest to the department to try as an experiment the Siddha system of treatment. I have consulted the All-Travancore Siddha Vaidya Sangham to try their treatment in a few pakuthies. The vaidyans are prepared, have kindly offered, to accept living wages and to take up some pakuthies as an experimental measure. They have also undertaken to instruct the people of these pakuthies about the herbs and other medicines that have to be administered, so that

[Mr. James Fletcher.]

they can spread that useful knowledge to the neighbouring pakuthies. I would request the Director of Public Health to try that experiment in the taluks of Neyyattinkara, Vilavankod and Kalkulam where malaria is prevalent.

The next point I would desire to place before the House is the insanitary condition of coastal villages like Vizhinjam, Colachel and the Cape. Anybody who goes to any of these villages will find that these villages are very dangerous centres, centres with all sorts of infected diseases. Sir, the strength of a chain is in its weakest link. Similarly, the health of the country depends upon the most insanitary and unhealty place in the country. We are also aware of the fact that whenever cholera or other such water-borne disease crops up, it has always started in these coastal villages. I would therefore suggest to the Director of Public Health to inspect these villages and to see that their sanitary condition is improved.

I may also bring to the notice of the House the fact that good drinking water is not available anywhere along the coast from Trivandrum to Cape, especially in the neighbourhood of Muttam and such other places. It is the duty of the Public Health Department to find out means of giving these people good drinking water; otherwise, they will contract diseases from the dirty water which alone is now available to them; and then Government will have to spend much more money than they would now have to spend in supplying them with good drinking water.

With these words, I resume my seat.

Mr. K. M. Korah: Sir, Mr. Anantasiva Aiyar has already explained the nature of the water that we in Kuttanad use for drinking purposes. To me, Sir, it appears that the reason why the grievances of Kuttanadians are not redressed is that the officials do not visit Kuttanad; and the reason for that again seems to be the bad condition of water there. Last year, an amount of Rs. 35,000 had been allotted for the construction of wells; but not a pie of it was spent. There was a time when we thought that it might be due to the want of officials from Kuttanad that our grievances were not redressed. But, at present, fortunately, we have two high officials belonging to Kuttanad. Am I to understand that they are not using their influence for redressing our grievences? From my short experience I find that Government do not seem to have any inclination to look to even some of our most important and urgent needs. I would earnestly draw the attention of Government to our need for good drinking water.

I shall pass on to the hardships caused to the people of Changanachery who go to the market there. The Changanachery market is the biggest market in the State. Unlike other towns, Changanachery has very few roads. Every one who wants to go to the market has necessarily to go along only one road, so much so, especially on market days, nobody can pass along that road without touching at last one leper. It is really a nuisance. The Changanachery Municipality has ample funds. May I request the Government to see to it that a beggar house is constructed somewhere in Changanachery and the beggars are compelled to remain there and are not allowed to roam about, especially those that are affected by serious diseases.

With these observations I resume my seat.

Dr. M. K. Gopala Pillai: Sir, in regard to the need of Kuttanad for good drinking water, I may inform the House that, after careful investigation, the Water Works and Drainage Engineer has suggested the digging of about 35 deep-bore wells. Government propose to do this in the course of the next few years. The necessary boring equipment has been ordered and is expected early next year. The idea is to complete two wells every year.

In regard to malaria, it is true that there is a large number of people affected by the disease along the foot-hills of the country. The Medical Department and the Public Health Department are taking adequate steps to combat the spread of the disease. I may however inform the honourable member for Neyyattinkara that there is only one treatment for malaria, and that is the administration of quinine. Other systems have been tried and found failing invariably. Cinchona is grown in India. Therefore, if malaria is a tropical disease, cinchona is a tropical drug.

Mr. V. S. Arumukham Pillai: Does the member suggest that there is no medicine in *Siddha Vaidyam* for malaria?

Dr. M. K. Gopala Pillai: After having conducted several experiments, I can assure the member that there is only one medicine for malaria, and that is quinine.

Mr. James Fletcher: Is the member prepared to try *Siddha Vaidyam* at least in one *pakuthi*?

Dr. M. K. Gopala Pillai: It was tried and found to be of no avail.

Mr. V. S. Arumukham Pillai: Has any experiment been tried with the *Siddha system* of treatment?

Dr. M. K. Gopala Pillai: Sir, human lives are too valuable to be experimented upon.

Mr James Fletcher: Is the member aware that many malarial patients are now being treated privately, not in hospitals— by *Siddha Vaidyans*, and that quite successfully?

Dr. M. K. Gopala Pillai: Ignorant people are often misled by quacks ; I shall be failing in my duty if I do not dispel from the minds of honourable members the idea that there are other systems of treatment for malaria.

Mr. Nedmangad R. Kesavan Nair: Is it the honourable member's view that *Siddha Vaidyam* would result in fatalities in malaria cases?

Dr. M. K. Gopala Pillai: Along with other systems, that system also has failed in curing malaria.

Mr. V. S. Arumukham Pillai: Does the member say that as a result of actual experience, or is it a mere dogmatic statement?

Dr. M. K. Gopala Pillai: I do not dogmatise ; I am only giving out the results of experiments.

With regard to typhoid, Government have been pleased to include tpyhoid in the list of notifiable diseases ; and anti-typhoid inoculation has been carried on in places whence there has been demand.

Fortunately, there is no cholera now, and the department is able to concentrate its attention on malaria and typhoid.

In regard to rural sanitation, I can assure the House that conditions are very satisfactory in Travancore.

In regard to the need for posters to disseminate knowledge on typhoid, the department has many of such big posters in stock, and they have already been issued for being posted in hospitals, *pakuthi cutcherries* and other public buildings ; and I shall arrange for more of these posters being distributed to various centres.

Mr. R. V. Thomas: May I know whether these posters can be seen in all important centres?

Dr. M. K. Gopala Pillai: Yes, Sir ; they have been posted on the walls of hospital and *pakuthi cutcherry* buildings.

Mr. R. V. Thomas: Can we find such posters in the taluk of Minachil?

Dr. M. K. Gopala Pillai: Certainly.

Mr. R. V. Thomas: I can assure the honourable member that I have not seen any in Minachil.

Mr. K. K. Kuruvilla: May I know whether posters can cure diseases?

Mr. M. K. Gopala Pillai: They are intended to disseminate knowledge ; I referred to this question because it was suggested here that full information regarding such diseases should be given to the common people of the country. Further, Sir, the duty of the Public Health Department is mainly to disseminate knowledge of preventive medicine, and not to attempt to cure diseases which is the work of the Medical Department.

In regard to anthrax in some pakuthies of Minachil, I am told the Veterinary Department is taking intensive measures to combat the spread of the disease. The existence of anthrax in human beings was not brought to the notice of this department hitherto.

Mr. R. V. Thomas: May I know whether the honourable member will be pleased to take speeches made here as such notices hereafter ?

Dr. M. K. Gopala Pillai: Certainly.

In regard to rabid dogs, they are certainly a source of nuisance in this country ; but the ideals of the Hindu religion do not permit people to deal cruelly with such dogs.

Mr. N. V. Chacko: Will other religionists be asked to deal with them ?

Dr. M. K. Gopala Pillai: The S. P. C. A. which is composed of members belonging to all religions is taking care to deal with such dogs. In regard to the municipalities, the situation can be dealt with by introducing a bye-law for killing such dogs. If there is a legislation for the whole country to haul up all the dogs it will be easy. In other countries I may submit that there is such a legislation, that dogs without collars can be killed.

Mr. Nedumangad R. Kesavan Nair: May I know from the member, whether the Public Health Department can appoint a man so that he can go about the whole country and shoot all the dogs ?

Dr. M. K. Gopala Pillai: One man for several thousand dogs ! In this connection, I will submit that the District Magistrates have issued orders in certain localities for dealing with the situation.

In regard to the scarcity of drinking water in Vadakkekara, though the attempt that was made has been a failure, further attempts will be made to procure good drinking water.

Mr. G. Narayana Aiyar: May I know whether the member has on any occasion visited Vadakkekara ?

Dr. M. K. Gopala Pillai: I have visited Vadakkekara and also Munambam, a place further beyond. The necessity for the supply of good water was brought to my notice on several occasions. I may say that 5 wells are already in the course of construction.

Mr. N. V. Chako: May I know from the member whether he has tasted the water available in Vadakkekara?

Dr. M. K. Gopala Pillai: Sir, I belong to this country and I have tasted all varieties of water all over Travancore.

With regard to the construction of urinals in the Munsiffs' Courts and District Courts, I may submit that it is for the authorities concerned to have such public conveniences provided in places within their jurisdiction. The Public Health Department does not wish to trespass upon the jurisdiction of other departments.

Mr. G. Narayana Aiyar: May I know from the member which is the authority whose attention has to be drawn in the matter?

Dr. M. K. Gopala Pillai: The Munsiff and the District Judge.

Mr. G. Narayana Aiyar: For erection of urinals Munsiffs and District Judges have to be addressed!

President: The honourable member has referred to the High Court and the High Court is considering the matter.

Dr. M. K. Gopala Pillai: Sir, it is true that there is hook-worm in Parur. The district hospital at Parur has made all arrangements to treat hook-worm cases.

With regard to the insanitary condition of the coastal villages, I may inform the honourable members that the coastal villages in Travancore are divided into 12 conservancy divisions and every effort is being made to make them sanitary and also to provide them with good drinking water. I am glad to inform the honourable members that in the last two or three years, there has been no epidemic of any kind in any of the coastal villages in Travancore.

Sir, in regard to the presence of beggars and lepers in the market at Changanachery, it is for the Municipality to take the necessary action by introducing a bye-law, as this is a matter which is beyond the purview of the Public Health Department.

Mr. R. V. Thomas: As a matter of personal explanation I wish to say this. In my speech I referred to the eradication of malaria, typhoid and other diseases, I think the Director of Public Health has stated in his reply that he wishes to prevent these diseases and not to treat them for which there is the Medical Department. What we wanted to suggest by our speeches was about the measures for preventing these diseases. If we wanted to say anything about the treatment of these diseases, certainly we would have made our speeches when the demand for the Medical Department came up. We only wanted to impress upon the Government the necessity for measures to prevent these diseases and to eradicate them completely and thereby improve the sanitary condition of the State.

Dr. M. K. Gopala Pillai : Sir, in regard to that I may inform the honourable member that Government have been pleased to appoint a special malaria officer to go into the question deeply and very minutely and Government are awaiting his suggestions in the matter.

With regard to the supply of good drinking water to Muttam, I am glad to be able to inform the honourable member that the scarcity of water there was duly taken notice of by the Government and the Dewan was pleased to visit that place Arrangements have already been made to procure good drinking water to that village by pumping water from Attinkarayar, that is near Valliyar and supplying water by means of distribution pipes. This gracious action of Government will mitigate the condition at Muttom in the near future.

President : The question before the House is that Government be granted a sum of Rs. 2,98,409 under Demand III--Public Health and Sanitation.

The Demand was then put to the vote of the House and carried and the grant was made.

DEMAND IV—PUBLIC WORKS DEPARTMENT

INCLUDING CAPITAL EXPENDITURE NOT CHARGED TO REVENUE.

Mr. G. B. E. Truscott : Sir, I move for a grant not exceeding Rs. 48,45,136 under Demand IV—Public Works Department, including capital expenditure not charged to revenue.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnathur*): Sir, I wish to offer a few remarks on the working of this department, and I wish to concentrate my attention in regard to the policy followed by the present Chief Engineer in giving contracts and the system of calling for alternative designs along with the tenders which nullifies the safeguard sought to be effected by the system of tenders. Sir, in recent times it has been found that a large number of firms from outside have come to Travancore and have been given contracts for the execution of large and small works. In former days it has been found that it was possible with the help of the P. W. Department and the expert advice that the officers of the department used to get works of first rate magnitude completed by local contractors quite satisfactorily and there are many instances in Travancore as standing monuments to the creditable work done by Chief Engineers who have been the heads of this department. Sir, if it is not possible for the departmental officers to give the proper designs and call tenders on such designs and if they have to depend upon other people for the purpose of designs

[Mr. Kottoor Kunjukrishna Pillai.]

they make a pretence of a choice and give the tender to whomsoever they like, I am very humbly submitting that they are evading the system of tenders. There is no rule ; of course there can be no hard and fast rule—I quite realise that—that the Government or the Chief Engineer should always accept the lowest tender. It may not be possible in all cases. But I think local contractors or foreign contractors among themselves should be given equal opportunities to tender on specifications that are known, and on data already ascertained. Let me make myself clear, Sir. Suppose Government want tenders for a particular bridge. Without giving any design of the bridge, without mentioning the number of spans that are to be erected, without specifying the nature of the bridge, whether it should be reinforced concrete or rubble and cement, etc., without giving any such specific details, I understand that the department, calls for alternative designs along with tenders. One man may be giving a tender putting up his calculations on the basis of entirely different materials from those of another who tenders. Now there can be no comparison or competition in tenders and there can be no criteria to decide which is the most profitable tender for Government to accept. Sir, I find absolutely no reason to allow this system. This system gets round the safeguard provided by the system of asking for tenders. If it is found absolutely impossible for the department to prepare the necessary designs, if the department concedes its incompetency to give proper designs with regard to difficult works, I have got a suggestion to make. That is they must call for the alternative designs first—then the Government should be prepared to give the cost of that design—and then they must call in tenders on the design accepted by Government. Then only can there be a fair chance of competition among the contractors, whether they are foreign or local and they will compete and tender so that Government money can be saved. There are any number of instances which can be quoted to show that Government have lost substantial sums by not adhering to this system but asking for alternative designs along with tenders. One man gives a tender for a particular design and another gives a tender according to an entirely different design and the costs bear no comparison and the Chief Engineer is left to choose as he likes without any consideration for the actual costs involved and without giving a fair chance of competition to the contractors for one and the same design. Sir, this system ought to be stopped. I understand that in British parts they do not follow such a system. There in British India the system of accepting the lowest tender is followed. Sir, the Chief Engineer will give the answer that all contractors will not be able to do the work satisfactorily. He can call for deposit amounts. He can call

for security money to be placed and he can say that the tenders of those people only who are prepared to furnish the security and who are able to finish the work in the required time will be accepted. There is no use in evading this question. It is a most important question that has to be taken note of.

Sir, I find with very great relief that hereafter at least Government are going to do away with the cement and steel works which have phenominally increased since the coming of the present Chief Engineer. Along with the increase in the number of outside firms even, simple bridges over small ferries, and small canals, are being constructed by the use of steel and cement.

We also find that in certain cases, the conditions required to be satisfied by the contractors tendering on a particular work, I mean in the case of at least one contractor, they are overlooked. I will point out a specific instance. With regard to the contract in connection with the Pallivasal Power House construction, I understand, Sir, that it was clearly stated in the notification in the Gazette that a particular sum of money has to be deposited in coins, not as a draft or any such thing, but in coins by every tenderer. I contend that any tender of any person who does not pay that amount as per that notification, the Chief Engineer has no business to open his tender and to look into it. If he does so, there is no meaning of his publication in the Gazette. Such irregularities there are. I do not wish to point out instances and bring in personalities. But I wish to point out very strongly and urge on the attention of Government that these irregularities should not be allowed to be continued and Government money ought to be saved. The Chief Engineer should not be allowed, in the guise of inviting alternate designs, to give contracts to whomsoever he likes and thus thwart a fair and free competition between the contractors.

Mr. T. Muhammed Ismail: Sir, I am glad to know that at last one of my several requests made last year has been made, and that is by re-constructing a bridge at Kanjirappally. The necessity for the construction of a bridge at Erattupetta was brought to the attention of Government several times. But the reply was that it required enormous sums. Last year it was told that it could be taken up only after the construction of a bridge on the Ponkunnam-Palai Road. I think the bridge that was under construction is practically over and therefore I request the Chief Engineer that it is high time he should take up the construction of that bridge, in view of the incessant clamour from the people about the matter. The completion of that particular bridge would become very important to the people, because, through it passes several roads leading from all parts of the country to Poonjar and from Poonjar, the roads lead to several estates.

[Mr. T. Muhammed Ismail.]

(At this stage the President vacated the Chair and Mr. Kottur Kunjukrishna Pillai, one of the Panel of Chairmen, presided.)

Therefore, the Chief Engineer should bestow his immediate attention on this important bridge.

In this connection, I may also refer to certain provincial needs, such as repairing of bunds, culverts, etc., on the Kanjirapalli—Erattupetta road. The total length of this road is only 10 miles. During the rainy season that is, for 4 months in the year, it is impossible to travel on this road. But considerable traffic has to pass through it. If some attention is paid to this matter, the usefulness of the road is unlimited. Last time I said and I repeat it again now, that the Kottayam-Kumili road should be repaired and widened properly. If Mr. Truscott himself inspects it, not in car, he will realise the necessity for the same. If he will be pleased to get down at certain points after Mundakayam and walk along the road for some distance, I am sure, he himself will feel about the necessity of spending more money for this road. For about 16 miles, that is, from Mundakayam to Peermade, the road goes in a zigzag manner with mountains on one side and valley on the other. An ordinary person will be afraid to go through the road. Accidents are not uncommon. To prevent them, parapet walls have been constructed at some places. Once they are constructed, they are always left without repairs. All the parapet walls, throughout this 15 miles, are broken. My submission is they should be repaired forthwith to reduce accidents and that new ones be constructed so that the whole road may be kept in a safe condition.

Last year, I had only two or three requests and I am glad to note as I stated before that one has been attended to. Similarly I have one or two this time and I wish the Chief Engineer would take note of them and do the needful during the course of this year.

Mr. R. V. Thomas: Sir, in supporting the demand, I would bring to the notice of Government some of the important local needs. First, I shall refer about the bridge at Palai over the Minachil river. It has got a history of over a quarter of a century. In 1104, the construction of the bridge was actually complete when it was washed away by the floods. About a year and a half later, all the remnants of the washed away bridge were collected, so much so, the vestiges of the bridge took some time to be completely removed. Now, I understand a preliminary estimate has been prepared for the bridge and some expenses incurred. I request the Chief Engineer to begin construction of the bridge as early as as possible. It is needless for me to say that Minachil is one

of the richest taluks yielding a substantial revenue to the State coffers. Unhappily, very small amounts are spent on public works in that taluk. Roads, public buildings, schools, etc., are mostly the efforts of private enterprise. Of course, I concede that some roads are maintained by Government. But there are very many ryots' roads. Though there is a net work of roads in the taluk, very few of them are taken up by Government and being maintained. Again, there are very few public buildings that have been undertaken by Government. Very few buildings such as the Taluk Office. Anchal office, Satrom, and Police Station, are owned by Government. Munsiff's courts, Girls' schools, Government Boys' school, several Primary schools and several others are housed in rented buildings I have no objection to that. But I instance this to show how no big amounts are spent towards public works in that taluk. Hence it is a bridge at Palai over the Minachil river deserves to be immediately attended to. By the completion of such a bridge, a shorter way to Ernaculam becomes an accomplished fact. At present, there is no shorter route from Peermade to Ernaculam. The industrial, commercial and agricultural possibilities of the town will be established by the construction of the bridge I have stated now. Further, Meenachil river in this part is very deep. There is water almost throughout the year. During monsoons, it very difficult to go from one side to the other. It will be important to note at this juncture that there are very few English schools situated on the southern side of the river in the taluk. Almost all the schools, English and Malayalam, are situated on the northern side. There are 14 schools in all, out of which 10 are English High schools and they are situated on the northern side of the taluk. Therefore, during floods, it is very difficult for boys to cross the river without the help of a bridge. The boys find it extremely difficult to reach school in time. I wish the Chief Engineer would bear in mind all the circumstances I have stated and do the needful in the matter.

I would also impress on the extreme necessity for a bridge at Erattupetta. Last year to a question whether the construction of a bridge will be taken up the Chief Engineer said that the matter will be looked into. I think he attached some importance to my appeal and said that after the construction of a bridge at Palai, the construction of a bridge at Erattupetta will be considered. Now that Government have sanctioned the estimate for constructing two bathing ghats at Palai, I remind the Chief Engineer to put in hand those works. During monsoon times, the old bathing ghat would get flooded and it is impossible to bathe safely in the river. This

[Mr. R. V. Thomas.]

matter has been urged on the attention of Government for over 12 years and one bathing ghat at least may be provided there Government did not move in the matter and now that they have sanctioned the estimates, I request the Chief Engineer would put in hand the construction of bathing ghats.

I would draw the attention of the Chief Engineer for a road from Puliyannoor to Palai, a distance to cover about 2 miles only. There is already an apology of a road. It should be gravelled. Even there, some portion of the road has been attended to by the ryots themselves. About three-fourths of the road is awaiting construction and I urge that the same may be taken up by the Government.

If this road is made cartable by the Government then it will be of very great convenience for traffic. During the months of June and July there would be heavy floods in the town. Meenachil river will be flooded six or seven months a year.

Chairman: The member has got only one minute more.

Mr. R. V. Thomas: During these floods which last for thirty days and more traffic would be held up. Buses plying between will be stopped and you will have to cross the road by ferry boats. If this one and a half miles road is finished there will be full traffic during floods also. I request the Chief Engineer to consider this question and do the needful.

Mr. P. R. Godavarma Raja: I wish to offer a few remarks on this demand. In the first place, I wish to draw the attention of the Government to the very unsatisfactory nature of many of the roads, especially in north and central Travancore. During monsoon time it is very difficult to go along these roads either in vehicles or by walking. In the rainy season we find many pit holes here and there along the road so that it is a nuisance to the pedestrians who are compelled to walk along the road and also to those persons who go in cars. Many of the roads are badly neglected. The amount allotted for the maintenance work are not properly utilised. Otherwise the roads would have been alright. I would therefore bring to the notice of Government this fact and I am sure the Chief Engineer will bestow more attention to this aspect of the question.

Another point I wish to urge is the lack of proper bridges in many of the places and that due to this it is difficult to cross rivers during the monsoon season. My friend Mr. R. V. Thomas has dealt with the necessity of two bridges in the Minachil taluk. I am

also of the view that these bridges must be constructed immediately, so that the people may find it convenient to cross the river. My own opinion is that the Government should adopt a consistent policy of building bridges within a reasonable period, say, five, ten, or twenty years. It is better to appoint a committee to go into this question and prepare a scheme for the construction of bridges and opening of new roads where they are necessary. I am sure the Chief Engineer will take this into consideration and do the needful. I think a Road Committee should be appointed to do this.

Another point I wish to urge is about tolls. Almost all members of this House will agree that tolls have become a nuisance. It is my view that these tolls should be abolished and some other means of raising the revenue explored. I would urge that point also in this connection. With these words I oppose the demand.

Mr. A. T. S Khadar Bhoy (*Commerce and Industry, South*): Sir, I rise to oppose this demand just to offer a few remarks at the slow work of this important department. Sir, I have to bring to the notice of this House and the Chief Engineer the following facts. It is admitted that the pier at Quilon is very essential, as the trade there is increasing year by year. Several times merchants of Quilon waited upon previous Dewans and when Sir C. P. Ramaswami Iyer also came there the need for the pier at Quilon was brought to his notice. Every time favourable replies were given that it is under consideration. But to our disappointment, so far nothing has been done to the needs of Quilon traders who also pay a heavy tax to the Government in very many ways. If I am correct a few months ago when Sir C. P. Ramaswami Iyer came to Quilon to open the new municipal building, in his speech we were given a definite assurance that the work will be undertaken. But we do not know what has happened since then. So I would request Government to take this question immediately to help the traders at Quilon and expedite the matter as far as possible.

Mr. K. M. Korah; I rise to oppose the demand. I would draw the attention of the Government to the necessity of having a T. B. in Changanachery. A good number of years have passed since the T. B. in Changanachery was abolished and I need not emphasise the fact that Changanachery is one of the most important towns of the State. Even last year I brought this fact to the attention of Government and some two or three years back when the head of the administration visited Changanachery, in reply to an address which he received, he said that the work of preparing an estimate of the T. B. has already been taken up. But so far nothing has been done. I would request the Government to see that the T. B. is constructed at the earliest opportunity.

[Mr. K. M. Korah.]

I would also draw the attention of the Government for the completion of the Alleppey—Changanachery canal. Years have passed since we began to agitate for the construction of this canal and only a very small portion remains to be completed. Let us hope that the canal will be constructed this year, if possible. The question of connecting Alleppey with Changanachery by land has been engaging the attention of the Government and even last year the representatives of Kuttanad were invited for a conference and as far as I know it was decided that a road from Changanachery to Alleppey should be constructed. On reading through the pages of the budget I do not find any provision made for the construction of this road. As I submitted on another occasion the labourers of Kuttanad hitherto used to get some work from the big agriculturists on whom they depend. On account of the peculiar circumstances prevailing there and on account of the financial difficulties of the agriculturists they are unable to give any work to the labourers from the months of Edavam to Vrischikam. It is in Vrischikam that the paddy cultivation begins. With the unprecedented fall in the price of cocoanuts, along with the cocoanut palm disease, people who used to raise paddy fields into compounds have practically abandoned it. If there is a road connecting Alleppey and Changanachery these labourers will be able to go to the different towns and thereby they may be able to turn out some work. Then the question may be asked whether they cannot go even now. There is no easy means of communication in Kuttanad. At present if the labourers want to go to towns they must go in boats and necessarily they will have to give a fare for the same. If this road is constructed they can go by walking. There are other reasons also which would weigh for the construction of this road I am at present emphasising only this point because I have already drawn the attention of Government for the necessity of connecting Alleppey and Changanachery on another occasion.

In this connection I may also speak a word about the bad condition of the Changanachery-Kottayam road. It is one of the roads through which you find very heavy traffic.

Chairman: The House will now adjourn and meet again tomorrow at 11- O' clock.

The House adjourned at 5 p.m.

Trivandrum, A. GUNAMONY,
1st August 1938. *Secretary to the Sri Chitra State Council.*

PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XII—NUMBER 4.
THIRD SESSION —1938/1113-1114.

The Council met in the Victoria Jubilee Town Hall at 11 o' clock on Wednesday, the 10th August 1938/26th Karkatakam 1113, with Sachivottama Sir C. P. Ramaswamy Aiyar, K. C. I. E., the President in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :—

1. Vasthuvidyakusala C. Balakrishna Rao, *Water Works and Drainage Engineer to Government.*
2. Mr. A. Gopala Menon, *Ag. Director of Public Instruction.*
3. Mr. M. K. Nilakanta Aiyar, *Ag. Excise Commissioner.*

QUESTIONS AND ANSWERS.

Judges who were punished during the last two years.

25. ***Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*) : Will the Government be pleased to state :

(*a*) who the judges were that were punished within two years ; and

(*b*) what the charges were for which they were punished ?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*) :

(*a*) Messrs. A. Krishnaswamy Aiyar, B. A., B. L., Ag. District and Sessions Judge, Alleppey, and K. Rama Kurup B. A., B. L., Ag. District and Sessions Judge, Quilon, were reverted to their substantive appointments as permanent Second Judges.

(*b*) Their work was not found to be satisfactory.

Mr. Nedumangad R. Kesavan Nair (*Trivandrum and Nedumangad* cum *Chirayinkil*) : May I know how the work of the judges were found to be unsatisfactory ?

Mr. M. Govinda Pillai: Government had ample information in their possession from the returns and reports received from the High Court that their work was not satisfactory.

Mr. Nedumangad R. Kesavan Nair: May I know whether any specific charges have been levelled against the judges?

Mr. M. Govinda Pillai: The specific charge was that they have not been doing satisfactory work.

Mr. Nedumangad R. Kesavan Nair: May I know whether explanations were called for from the judges?

Mr. M. Govinda Pillai: Yes, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government thought it fit to draw up a proceedings before they were punished?

Mr. M. Govinda Pillai: No, Sir.

Mr. K. R. Elankath (*Kalkulam and Vilavankod cum Neyyattinkara*): May I know whether the judges were found fault with in regard to the number of disposals or the quality of work?

Mr. M. Govinda Pillai: The only reply that I can give is that their work was unsatisfactory.

Number of High Court Judges.

26. ***Mr. N. V. Chacko:** Will the Government be pleased to state the number of High Court Judges who are in active service as High Court Judges?

Mr. M. Govinda Pillai: Five.

Customs duty on pepper and ginger.

27. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(*a*) the rate of customs duty on (i) pepper and (ii) ginger;

(*b*) when these rates were fixed;

(*c*) what the prevailing prices of (i) pepper and (ii) ginger were when the existing rates of customs duty were fixed;

(*d*) what the prices of (i) pepper and (ii) ginger prevailing at present are;

(*e*) the previous rates of customs duty on (i) pepper and (ii) ginger;

(*f*) when these previous rates of customs duty on (i) pepper and (ii) ginger were fixed? and

(*g*) what the prices of (i) pepper and (ii) ginger were when the previous rates of customs duty were fixed?

Mr. M. K. Nilakanta Aiyar: (*a*) (i) Bh. Rs. 10 per candy.

(ii) 5 per cent. on a tariff value of Bh. Rs. 25 per cwt.

(*b*) (i) 1st Dhanu 1101.
(ii) 5th Karkatakam 1106.

(*c*) (i) Bh. Rs. 50 per cwt.
(ii) Bh. Rs. 10 per cwt.

(*d*) (i) Bh. Rs. 15 per cwt.
(ii) Bh. Rs. 17 per cwt.

(*e*) (i) Bh. Rs. 5 per candy.
(ii) 5 per cent. on a tariff value of Bh. Rs. 37 1/2 per cwt.

(*f*) (i) Bh. Rs. 5 per candy was the rate of duty from the earliest time for which records are available.
(ii) 15th Thulam 1099.

(*g*) (i) Information is not available.
(ii) Bh. Rs. 45 to 50 per cwt.

Mr. N. V. Chacko: May I know how many cwts. make one candy?

Mr. M. K. Nilakanta Aiyar: 20 cwts. make one ton.

Mr. N. V. Chacko: May I know how many cwts. according to this calculation make one candy?

Mr. M. K. Nilakanta Aiyar: 500/112 cwts.

Mr. N. V. Chacko: Seeing that the price of pepper fell from Rs. 50 to Rs. 15 and the duty was raised from Rs. 5 to 10, may I know whether Government will consider the question of reducing the customs duty?

Mr. M. K. Nilakanta Aiyar: It is a question of future policy.

Import of paddy into the State.

28. ***Mr. G. Narayana Aiyar** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table a statement showing the amount of paddy and rice imported into Travancore in each of the years 1110 to 1112, showing also the places from which they are imported and the quantity imported from each place?

Mr. M. K. Nilakanta Aiyar:

A*statement is laid on the table.

Rice and paddy are imported into Travancore chiefly from Siam, Burma and British India. Information regarding the quantity of rice and paddy imported from each place is not available.

Mr. G. Narayana Aiyar: May I know whether Government have found out any means of preventing the further import of paddy and rice into Travancore?

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* *Vide* Appendix I—Page 222.

Mr. M. K. Nilakanta Aiyar: The Agricultural Department is doing its best.

Passes for the transport of cocoanut products.

29. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state:

(*a*) whether for transporting cocoanut products from one compound in a pakuthi to another compound in the same pakuthi in the frontier taluks, a pass from the local Excise Inspector is insisted upon by the Excise Department;

(*b*) if the answer to part (*a*) is in the affirmative, what is the basis for such insisting;

(*c*) whether the practice, if any, is supported by any law or rule having the force of law; and

(*d*) who issues such passes, whether the petty officer on the spot or the Excise Inspector residing in the headquarters?

Mr. M. K. Nilakanta Aiyar: (*a*) Passes for the transport ofco coanut products are insisted on within one mile of the frontier in the Parur taluk only.

(*b*) It is a practice which has been in existence for a long time with a view to protect the people concerned from the operation of Section 22 of the Land Customs Regulation.

(*c*) No. The passes are issued under executive orders and the question of legalising the practice is under the consideration of Government.

(*d*) Excise Inspector. The question of empowering petty officers to issue such passes is under the consideration of Government.

Mr. G. Narayana Aiyar: With reference to answer to part (*d*) may I know how many days the Excise Inspector is expected to be on circuit?

Mr. M. K. Nilakanta Aiyar: He has to be on circuit for 20 days a month.

Mr. G. Narayana Aiyar; Will not those who transport cocoanut be put to serious difficulties in not being able to obtain passes when the Inspector is not on the spot?

Mr. M. K. Nilakanta Aiyar: Government are aware of such difficulties and they are considering the question of giving the power of issuing licenses to the Petty Officers.

Mr. G. Narayana Aiyar: May I know whether orders will be issued without much delay to see that the difficulty is removed as early as possible?

Mr. M. K. Nilakanta Aiyar: I hope so.

Mr. G. Narayana Aiyar: May I know whether the Petty Officers will be authorised to issue passes so that one man to whom

a pass is issued can go from one jurisdiction to another within the same taluk ?

Mr. M. K. Nilakanta Aiyar : No, Sir.

Mr. G. Narayana Aiyar : In the absence of issuing such passes, may I know how the difficulty will be relieved ?

Mr. M. K. Nilakanta Aiyar : Petty Officers can be empowered to issue passes to people within their respective jurisdictions. If the member feels that the public will be put to very great difficulties by the above arrangement the matter will be considered.

Jyothisha Section in the Sanskrit College.

30. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state :

(*a*) whether there was a Jyothisha Class or Section in the Government Sanskrit College imparting education in *Jyothisha*, and, if so, when it was abolished and what were the circumstances that necessitated the abolition of the branch ; and

(*b*) how long was the Jyothisha Section in existence and what was the average annual amount spent on that institution ?

Mr. C. V. Chandrasekharan (*Pro-Vice Chancellor*) :

(*a*) Yes ; it was abolished in 1936 for want of students.

(*b*) For 25 years ; Rs. 1,320 per annum approximately.

Mr. G. Narayana Aiyar : May I know what will be the minimum number of students to maintain a Jyothisha class ?

Mr. C. V. Chandrasekharan : There is no fixed number.

Mr. G. Narayana Aiyar : Supposing there are sufficient number of students, what will be the minimum number necessary to maintain a class ?

Mr. C. V. Chandrasekharan : I think five or six would be considered sufficient.

Mr. G. Narayana Aiyar : May I know whether for the preparation of Panchangom a sufficient knowledge of Jyothisham is absolutely necessary ?

Mr. C. V. Chandrasekharan : It is a matter of opinion.

Mr. G. Narayana Aiyar : May I know whether Panchangoms can be prepared without a knowledge of Jyothisham.

Mr. C. V. Chandrasekharan : It is a matter of opinion, Sir.

Mr. K. R. Elankath : Is it a matter of opinion, Sir ?

President ; I do not follow the honourable member.

Mr. K. R. Elankath : A certain question was asked and the Pro-Vice-Chancellor says that it is a matter of opinion.

Mr. C. V. Chandrasekharan: It is my opinion that it is a matter of opinion.

Mr. K. R. Elankath: Shall we take it to be the opinion of Government or of Mr. Chandrasekharan?

Mr. C. V. Chandrasekharan: It is a matter of opinion.

Co-ordination of various laboratories in the State.

31. ***Mr. M. K. Ananthasiva Aiyar** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there is or was a proposal to co-ordinate the various laboratories in the State into one central research laboratory under the control of the Travancore University;

(*b*) what has become of it; and

(*c*) what will be the financial effect if such co-ordination is made?

Mr. C. V. Chandrasekharan: (*a*) Yes.

(*b*) and (*c*) The matter is under consideration.

Inscription behind the seats of the Judges in the First Bench of the High Court.

32. ***Mr. N. V. Chacko:** Will the Government be pleased to state the meaning in English of the inscription behind the seats of the Judges in the First Bench of the High Court?

Mr. M. Govinda Pillai: The meaning of this sentence must be well known to all lawyers.

Mr. N. V. Chacko: May I know what the inscription is?

Mr. M. Govinda Pillai: It is "*Fiat Justitia Ruat Coelum.*"

Mr. N. V. Chacko: May I know what the meaning is?

(The President called the next question).

Mr. N. V. Chacko: Sir, I have not finished my question.

President: I considered that question and refuse the right of further questions on it.

Military training to the students of the Travancore University.

33. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(*a*) whether they are including military training also in the courses proposed for the students of the constituent and affiliated colleges of the Travancore University; and

(*b*) whether they have considered the various advantages of military training to the students and to the State?

Mr. C. V. Chandrasekharan: (*a*) and (*b*) The matter is receiving attention.

Effects of the re-organisation of the Excise Department.

34. ***Mr. James Fletcher** (*Kalkulam and Vilavankod cum Neyyatinkara*): Will the Government be please to state:

(*a*) the excess sum of money actually incurred for the year 1113 on account of the introduction of the re-organisation scheme in the Excise Department; and

(*b*) the amount of revenue realised so far under various items, such as tobacco, abkari and customs in each month after the reorganisation took effect as compared with the corresponding months of the previous year?

Mr. M. K. Nilakanta Aiyar: (*a*) Rs. 88,815 up to the end of Mithunam 1113.

(*b*) *Statements are laid on the table.

Mr. James Fletcher: May I know whether the reorganisation has brought about any loss during the year?

Mr. M. K. Nilakanta Aiyar: No, Sir.

Mr. James Fletcher: May I know whether there is decrease in the collection under tobacco during the year?

Mr. M. K. Nilakanta Aiyar: Yes, there is.

Mr. James Fletcher: Does the member expect any increase during the next year?

Mr. M. K. Nilakanta Aiyar: No, Sir.

Mr. G. Narayana Aiyar: In view of the small amount collected, is it advisable to maintain the additional staff for next year also?

Mr. M. K. Nilakanta Aiyar: There is increase of Rs. 3,12,519 under customs up to the end of Edavom 1113; under abkari, Rs. 17,782; under tree tax more than Rs. 20,000; and under Beedi tobacco Rs. 23,410. In all there is an increase of revenue to the extent of Rs. 3 1/2 lakhs.

Mr. K. R. Elankath: May I know whether the increase under customs is an addition to the Excise income to be got from the Cochin Harbour?

Mr. M. K. Nilakanta Aiyar: Yes.

Trivandrum Drainage Scheme.

35. ***Mr. T. Mahomed Ismail** (*Nominated*): Will the Government be pleased to state when the Drainage Scheme in Trivandrum Town is expected to be completed?

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* *Vide* Appendix II--Page 223

Vasthu Vidya Kusala C. Balakishna Rao (*Water Works and Drainage Engineer to Government*): The Drainage Scheme for the whole of the Trivandrum Town was taken up for execution at the end of 1111 M. E. and, as it is scheduled on a five-years programme under normal conditions, the works are expected to be completed by the end of 1116 M. E. Works in Block A of the scheme which constitutes two thirds of the town are in progress now. These works are expected to be completed and Block A of the scheme brought into service in 12 to 15 months from now.

Extension of the Transport Service to North Travancore.

36. ***Mr. T. Muhammed Ismail**: Will the Government be pleased to state whether they have decided to extend the State Transport Service to North Travancore, and, if so, which are the lines they mean to take up?

Mr. M. Govinda Pillai: Yes. It is not possible to state at present which are the lines the department proposes to take.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government have not got any definite lines in view when they anticipate income under Transport?

Mr. Padiyara Joseph Kunju: സർ, ചോദ്യം അയച്ച മെമ്പർ ഹാജരില്ലാതിരിക്കുമ്പോഴും വേറൊരു മെമ്പർക്ക് അതിനെപ്പററി സപ്ലിമെൻററി ചോദ്യം ചോദിക്കാമൊ?

President: Yes.

Mr. M. Govinda Pillai: When the Government contemplated the revenue which is mentioned in the budget, they had in view the transport between Munnar and Alwaye and no other passenger service.

Appendix I.

Vide Answer to Question No. 28.

Statement showing the amount of paddy and rice imported into the State in the years 1110, 1111 and 1112.

Year.	*Paddy, quantity in cwts.*	*Rice, quantity in cwts.*
1110	13,34,890	84,48,600
1111	9,25,413	61,11,140
1112	4,71,128	51,64,193

Appendix II—A.

***Vide* Answer to Question No. 34.**

The revenue realised under Tobacco in each month after the re-organisation from 1-4-1113 as compared with the corresponding months of the previous year.

Month.	1112.			1113.			Increase.			Decrease.			Remarks.
	Rs.	Chs.	C.	Rs.	Chs	C.	Rs.	Chs.	C.	Rs.	Chs.	C.	
Vrischikam .	1,97,214	26	15	1,70,058	5	2	..	..	..	27,156	21	13	Decrease (Net) Rs. 68,212-5-12.
Dhanu .	1,79,582	8	7	1,90,338	13	15	10,756	5	8	..	..	...	
Makaram .	1,85,085	6	6	1,83,412	23	14	..	..	..	1,672	10	8	
Kumbham .	1,99,508	2	6	1,79,104	21	1	..	..	...	20,403	6	5	
Meenam .	1,88,436	12	1	1,90,572	25	8	2,136	13	7	..	..	...	
Medam .	2,01,435	22	6	1,69,492	21	..	..	..	..	31,943	1	6	
Edavam .	1,98,452	26	14	1,98,523	14	3	70	15	5	..	..	..	
Total ...	13,49,715	21	7	12,81,503	15	11	...	...	..	..	..	...	

Appendix II—B.

***Vide* Answer to Question No. 34.**

The revenue realised under Abkari including opium and ganja in each month after the re-organisation from 1-4-1113 as compared with the corresponding months of the previous year.

Month.	1112.			1113.			Increase.			Decrease.			Remarks.
	Rs.	Ch.	C.	Rs.	Ch.	C.	Rs.	Ch.	.	Rs.	Ch.	C.	
Vrischikam .	1,88,824	25	13	1,88,035	2	6	..	...	...	789	23	7	Decrease (Net) Rs. 19,287-1-4
Dhanu .	2,02,306	20	7	1,92,744	7	1	...	...	...	9,562	13	6	
Makaram .	2,31,920	1	5	2,14,692	17	13	...	...	...	17,227	11	8	
Kumbham .	2,54,610	21	10	2,37,523	3	2	.	...	...	17,087	18	8	
Meenam .	2,16,493	16	12	1,98,391	13	8	..	...	...	18,102	3	4	
Medam .	2,28,284	4	15	1,86,330	0	12	...	...	...	41,954	4	3	
Edavam .	2,28,747	9	4	3,14,183	26	4	85,436	17	..	...	...	..	
Total .	15,51,187	16	2	15,31,900	14	14	...	..	...	...	...	...	

Appendix II—C.

Vide Answer to Question No. 34.

The revenue realised under Customs in each month after the re-organisation from 1-4-1113 as compared with the corresponding months of the previous year.

Months.	1112.			1113.			Increase.			Decrease.			Remarks.
	Rs.	Chs	C.	Rs.	Chs.	C.	Rs.	Chs.	C.	Rs	Ch.	C.	
Vrischikam .	2,17,357	9	9	2,72,117	27	8	54,760	17	15	...	...	...	
Dhanu .	2,51,584	26	1	3,05,889	25	1	54,304	27	0	...	...	...	
Makaram .	2,29,896	5	11	3.28,290	23	4	98,394	17	9	..	...	...	
Kumbham .	2,33,529	3	10	3,04,713	0	8	71,183	24	14	...	...	...	
Meenam	2,78,811	0	6	2,72,188	19	12	...	...	...	6,622	8	10	
Mdam .	2,65,846	19	1	2,95,444	7	10	29,597	16	9	...	...	...	
Edavam .	2,68,478	15	11	2 79,378	15	3	10,899	27	8	...	...	...	
Total	17,45,503	24	1	20,58,023	6	14	3,19,141	19	7	6,622	8	10	Net increase Rs. 3,12,519 10-13.
Cochin Harbour Receipts .	24,41,597	4	9	9,26,236	14	5	...	...	...	15,15,360	18	4	

Mr. Nedumangad R. Kesavan Nair : Sir, during the last budget session of the Council I submitted that sufficient number of questions are not answered. To-day only ten minutes have elapsed and the rules specify that not less than one hour shall be devoted for questions and answers. A number of questions that I have sent as early as Karkadagom last year remain still to be unanswered. To day we have got 50 minutes more ; for answering questions— yesterday within half an hour all the questions were over. Day before yesterday also the same was the case. I brought this fact to the attention of the chair during the Makaram session and the Chair assured me that as many number of questions as are possible would be answered. Subsequently I addressed a letter to the Secretary pointing out the specific volume containing the Dewan's assurance. We know that the observations and the assurance made by the President were not adhered to and request that as many questions as are possible may be answered.

In Karkatakam last, one year before this, I have sent a question asking for information about the amount of money spent on newspaper. That question has not been answered. I submitted last year that questions that are inconvenient for Government to answer are not answered. The President was then pleased to repel that contention but I am sorry to bring that once again to your notice.

President : I have consulted the Secretary on this matter and this is the information that he has given. Altogether 223 questions have been admitted of which 20 are unstarred. Answers to more than 100 have been received and more are expected during the course of this session. As this session lasts for more than ten days it was thought fit to put about 10 to 12 questions for each day. If however answers to more questions are received, then more questions will be put in for each day for the rest of the session.

Mr. Nedumangad R. Kesavan Nair : May I know; Sir, whether the answer to the question regarding the amount spent for newspapers have been received ? I had sent up that question one year before.

President : It is not open to the honourable member to ask whether the answer of a particular question has been received or not. As a matter of fact, honourable members are perfectly aware that the Departments are trying their utmost to get all the information available and submit them to the Council. All the questions are distributed for the whole session so that ten to twelve questions are put for each day.

ADJOURNMENT MOTION.

President : I have received notice of an adjournment motion from Mr. Padiyara Joseph Kunju which reads thus:—

"I beg leave to move the adjournment of the business of the house to discuss a definite matter of urgent public importance, namely, the serious assault on T. K. Muhamad Kunju Lubba, Judge Village Panchayat Court, Kayamkulam and the Secretary of the Shuraful Islam Sanghom at Kayamkulam on the night of the 24th of Karkatakam 1113 by certain members of the State Congress and the serious apprehension and insecurity to life caused thereby to the public."

Does the honourable member know anything about it personally?

Mr. Padiyara Joseph Kunju (*Nominated*): Yes, Sir.

President: Mr. Police Commissioner, do you know anything?

Mr. M. Ramachandra Rao (*Ag. Commissioner of Police*): Sir, a wire has been received last evening and it has been sent to the District Superintendent of Police, Quilon for enquiry.

Mr. Nedumangad R. Kesavan Nair: May I know who sent the wire.

Mr M. Ramachandra Rao: From the party who suffered from the assault

President: There are two grounds on which I have to disallow this adjournment motion. First is, that as all the materials that are necessary for discussion are not available to Government, such a matter cannot be made the subject for an adjournment motion. Secondly the Police Commissioner has stated that he has received a telegram and it has been sent for enquiry. On these two grounds I disallow this motion for adjournment.

DEMAND No. IV—PUBLIC WORKS DEPARTMENT INCLUDING CAPITAL EXPENDITURE NOT CHARGED TO REVENUE (*Contd.*)

Mr. K. M. Korah (*Vaikom, Kottayam and Changanacherry* cum *Peermade*): Sir, yesterday I was saying about the condition of the Kottayam-Changanacherry road in my constituency. I would draw the attention of the Government to the fact that this road is in a very bad condition and should be metalled as early as possible. Sir, there are other needs also in regard to my constituency to which I would like to draw the attention of Government but finding that the amount allotted for roads is only Rs. 17,000, I don't think it will serve any useful purpose in enumerating those needs here. With these few words, I resume my seat.

Mr. V. S. Arumugham Pillai (*Tovala* cum *Agasteeswaram*) Sir, in dealing with this demand I must submit at the outset that the main feature of the P. W. D. budget is that it has provided a very inadequate allotment for expenditure so far as South Travancore is concerned. Sir, this has been the practice for the last so many years and in spite of repeated representations the practice still continues. Sir, South Travancore is mainly agricultural and so irrigation is an important problem there.

Mr. Nedumangad R. Kesavan Nair: Sir, I rise on a point of order. It seems that Mr. Kunjukrishna Pillai is taking the Chair and I have to say something about his allegations levelled against the Chief Engineer when my chance comes. Therefore I want to know whether I would be in order in criticising him when he is occupying the Chair.

President: The question arises only in this way. If a private member occupies the Chair he is not exempted by his being in the Chair from criticisms by another member. Moreover if you find it necessary that I should be present, certainly I will be here.

(The president then vacated the Chair and Mr. Kottur Kunjukrishna Pillai one of the panel of Chairmen presided).

Mr. V. S. Arumugham Pillai: Sir, I was submitting that the P. W. D. allotment is very meagre so far as South Travancore is concerned. Excluding the items of allotment made under productive irrigation, if you compare the figures for South Travancore and for the rest of Travancore, the allotment for the former is very poor. Sir, as I submitted already, South Travancore is mainly agricultural, especially Nanjinad is depending on agriculture, and irrigation is one of the important essential requirements of the people of Nanjinad. Sir, with regard to the irrigational facilities, I may submit so far as South Travancore is concerned, it mainly depends upon the Kodayar reservoir. As regards the Kodayar reservoir, I have had various occasions to represent before this House and before the Government that it has completely failed and on account of its failure it has been an ever pressing and anxious problem for us. Sir, Kodayar was once believed to be a never failing source of water The bitter experience of the drought commencing from 111 onwards and continuing to the present day has revealed that there is no use in depending upon Kodayar for irrigation and the situation has come to such a plight that we will have to find out other sources and other ways to supplement the reservoir. In order to work out the project successfully there should be a complete change in the system of working. Sir, from the year 1110 onwards especially there have been repeated representations from the ryots that a supplementary reservoir is necessary. As I understand, an officer was deputed to investigate into the possibilities of constructing a supplementary reservoir. A reservoir at Perunchani was suggested and it was ordered that it should be investigated. Somehow or other I understand that the scheme has already been dropped. Sir, as I submitted already, irrigation is the life problem of the agriculturists of Nanjinad. Sir, no cultivation is possible without an adequate supply of water. Without cultivation it is impossible to pull on life there. This problem has assumed a serious stage so far as Nanjinad and Edanad are concerned. In this

connection I may allude to the view expressed by the late Mr. Watts about Nanjinad He said in one of his speeches "so long as there is water in your reservoir you don't mind whether Rama rules or Ravana rules." The problem is so very vital that it is highly disappointing to see that the Government have easily shelved the question of constructing a supplementary reservoir. Sir, I once again submit that the system of working the project must also be completely changed. Sir, the main defects in the system of working the project is due to the fact that it was believed that this reservoir will be a never failing source of water. It was believed to be a Kamadhenu under a wrong calculation almost all the important tanks were auctioned away, thereby abolishing the old supplementary irrigational sources. Under the present system the lands which are 30 or 40 miles away from the reservoir have to depend upon it for water. As a consequence even during normal seasons, the lands which are situated at the tail end of the project do not get sufficient water, because the left bank channel is too insufficient for its burden. Consequently lands at the higher reaches get all the water and before the water reaches the tail end the season changes. The result is cultivation becomes impossible in those lands and the people are put to much suffering. Moreover the bitter experience of drought was felt for so many years only at these lands which are at the tail end. Therefore Government have now appointed a committee to advise them in the matter of constructing tanks and repairing the existing ones. But what I beg to submit in this connection is that since the amount allotted is meagre it is not possible to carry out the works as recommended by the committee.

Now with regard to the formation of the tanks and repairs to the existing tanks, preference must be given to the lands situated at the tail end. Sir, this is a very important matter and I would draw the special attention of the Chief Engineer to this. In this connection I may refer also to one another important matter which I have been pointing out to the Chief Engineer, that is with regard to the Kodayar Project. In order that it may work out successfully a separate Irrigation Division must be formed as Kodayar Irrigation Division. I have already submitted to the Chief Engineer the urgency and the need for this change. He has been very obstinate in refusing that request. Sir, considering the seriousness of the problem to the public of South Travancore and the magnitude of the work involved it is advisable to have a separate Division for Kodayar Project alone under one Executive Engineer. If the Government were to think that it would be rather costly, I may submit that the Road Branch may be amalgamated with the Trivandrum Division so that there will be no loss for the Government by way of special expenditure,

[Mr. V. S. Arumugham Pillai.]

I may submit that there may not be any loss to Government. No special expenditure on this account will have to be met because there is already the project account and the additional cost may be met from the profit accruing. Sir, this matter of formation of a separate Division for the Kodayar Project Division is an important one, because so many problems can be tackled and solved. If there is a separate Division it will be very easy to suggest ways and means to work out the project.

Mr. A. Easwara Pillai (*Kottarakara and Pattanapuram* cum *Shencotta*): Sir, I oppose the demand. My object in doing so is to point out the necessity of paying more attention to the means of communication in rural areas. At present, the department systematically neglects the rural areas. The major portion of the allotment is expended for embellishing the cities and towns in the State. The system for providing means of communication in rural areas is inelastic and not at all helpful to the rural population. The ryots are opening new roads in various taluks and the Department is averse to take up these roads and maintain them. They say that the Revenue Department is responsible for the delay in taking up the roads. The Revenue Department says that the people do not observe the ryots' road rules. Whoever be in fault, the fact is that the ryots receive no official help. They are entirely depending upon their self-exertion in opening roads in the various parts of the State. The enthusiasm of the people will continue only for a short time. Their resources are also scanty. Hence they will be compelled to neglect these roads. Thus considerable money and energy of the poor ryots are wasted. If the Department will take up these roads, without unnecessary delay the rural areas will be opened within a very short time by the enthusiastic ryots themselves. The result will be, we will have a net work of roads in the State. Therefore, I request the Government to take up this matter and bestow their particular attention to it. A decent amount should be set apart for improving the ryots roads. I represent a mountainous constituency. Most of the inhabitants there are agriculturists. They are in need of roads in opening the hilly tracts. The people themselves have constructed several new roads. Persistently the matter was brought to the notice of the authorities, but they seem to be unmindful and no sort of help is yet rendered. I therefore oppose the damand.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai*): Sir, I rise to oppose the demand. In doing so, I shall draw the attention of Government to the fact that it is high time—I mean no personal

disparagement to the present Head of the Department for the Government—to appoint a well-tried and qualified Engineer as the Head of the Department. Sir, I can understand that William Shakespeare was not an University man. He had not attended any of the Universities and Colleges. Occasionally natural talent will assert itself. I belong to the orthodox class who believe that University training is indispensable in these modern days to help a man to discharge his duties as Chief Engineer in this State. Another gentleman, whose qualification perhaps in his natural talent, is causing great concern and anxiety to Government. I understand that he is a Russian Engineer of British domicile and when questions are asked about him no information is given, presumably on the ground that they belonged to the political class. To avoid certain avoidable criticisms, it is highly essential that a well qualified Engineer should be put as the Head of the Department. The present Chief Engineer was allowed to continue even after the expiry of the terms without any reference to the Legislature being made about it. I know statutarily the Government is not bound to consider the Legislature regarding the personnel of the Department. I was emboldened to say this because very huge items are included among the duties of the Chief Engineer. Sir, he has to discharge the functions in connection with the Town Planning Scheme. It is well-known that there are not very many Town Planning Engineers in India, or for that matter in the world, who have specialised in that branch of Engineering. I do not know whether the present Chief Engineer has got the experience necessary for working out such schemes. Yet he is put down for this item of work—an item for which we will have to spend thousands and thousands of rupees. It is not a mere question of spending money. Financial theories are elastic enough. If questions are put somebody from the Government benches will answer that they have taken up lands, they have begun spending the money or have launched upon some development work and so on. These are very common words and we are in such cases often at a loss to understand the meaning. I, therefore, shall concede that money lost is money gained. But if the town is disfigured, if the town is allowed to be planned without any reference to modern ideas of town planning, it will be very difficult and very late to set right things.

Another matter is the one relating to complaints—I must say the scandal, but I would avoid that word—in the matter of giving contracts. I am not bringing in any provincial or parochial questions in this connection. I would welcome a Tibetian Chief Engineer or a Chinese Commissioner of Police. But when undue encouragement is given to some contractors—I do not oppose them

[Mr. Kochikal P. Balakrishnan Tampi.]

because they belong to British India or elsewhere—who are not doing very satisfactory work then we have room for complaint. There is one General Construction Company whose his'ory is not well-known. My thoughts are wandering instictively to Mr. Narayana Aiyar's question a few minutes ago with regard to the *Jyotisha* branch, because the personnel and the history could be found out with reference to that branch. It is well also for the Government to lay all the cards on the table. The pub'ic are entertaining vague suspicions and the Government must make it plain that there is no such grounds for suspicion. It is for the Department and the Government to clear matters connected with that. I think the company is financed by some people who are in the Government service. Leaving apart this question what shall I say about the Engineering talents of this Company. It is exhibited in the Alwaye Railway bridge and about this the less said the better. And then the Parur Bridge—I do not want to say all that and embarrass Government. The funds given from the Road Development Fund and the Funds from other Government than Travancore have also been utilised for the construction of this bridge. I was told that some other Government did not quite approve of the way in which it is being done, because unfortunately there are other Governments who are rather backward and are orthodox in the matter of Engineering and are not able to appreciate the talents of the Engineers of this State. Then again, what about the other bridges like the *Kannalipalam*. They say that that bridge is also not good although it has been completed by some outside contractors. It is not in a safe condition now. It may be unparliamentary but I would ask the Government to see that some outside Engineer who is unconnected with the Government supervises this bridge. The Kannalipalam and some of the latter day bridges are bridges built by some firm which is particularly patronised by the Engineering Department. I may also draw the attention of this House to the manner of doing things relating to the Pallivasal buildings. For the Power House tenders were invited. The amount fixed was Rs. 90,000 and some lucky firm was selected to be entrusted with the work. The auxillary portion of the work costing about Rs. 2 lakhs was given to the Construction Company without calling for any tenders. I ask the Government whether it could in any way enhance the prestige of the Government by doing things through the back door. When the Government wanted to do things in that manner it is better that they have the courage to tell us that for particulur reasons they want to patronise one firm or another. They have not called for tenders for the auxillary item in connection

with the foundation work. This is what is called in common parlance cheating. Then again what about the paltry sum allotted for the construction of the roads. After all, that there are pedestrians may be the information of Government. Sir, the roads are the very primitive demand of the people. Well, Sir, in my constituency, from Neendakara to Cochin, the men, women and children are not following the programmes of Berlin and Liverpool. They are very primitive people. They ask for roads and the Government's declaration is never lacking in the finish of language. They say that if the people cry, Government would take up and maintain the roads. Believing the announcement of the Government several members joined and made representations. My friend Mr. M. S. Anirudhan—with whom I do not often see eye to eye on many matters—and myself, after all managed to agree on this matter and urged for the construction of a road from Ambalapuzha to Thiruvalla. All the members signed a representation and, hopefully, we submitted it to the Dewan. But nothing has come out of it so far. Similarly, in regard to many other important roads, Government do not pay any heed to our representations. For instance, there is the Kayamkulam-Karthigapalli road connecting those two taluks. We submitted memorials. We met successive Dewans on deputation. They were very courteous and shook hands with us; they enquired after our health. They assured us that the road was really useful and that in any scheme of roads this road would receive their particular attention. We were given to understand that the road would be taken up immediately.

Sir, I can understand why these roads are not taken up; there is lack of funds. But, if large sums of money can be expended for luxury, why not at least a small portion be diverted to such elementary needs of the people? I know, if the Government sanction these roads, it will not be advertised; the news will not be published with bold headlines in outside newspapers. "Kayankulam-Kartikapalli road taken up by the Government of Travancore; result of the liberal minded policy since the Temple Entry Proclamation"; nothing like that may appear in any newspaper. Unfortunately these editors of newspapers are not quite alive to our needs; they will say that these are matters of local interest and therefore not of newspaper importance.

Sir, there is absolutely no harm in the Government occasionally doing something which may not appear in any newspaper, something which will be of real use to the poor people who are faithful to the Government, who pay taxes to the Government. You raise your income by indirect taxation of these poor people also. Once in a way something may be done for the poor. After all, Sir, we are asking only for crumbs from the financial table, if I may say so.

[Mr. Kochikkal P. Balakrishnan Tampi.]

Sir, frivolity apart, I should submit that, by this attitude of the Government—I am confining myself to the P. W. D. just now—in neglecting the elementary needs of the people, when people realise by experience that their own representations and the representations of their representatives in the Legislature, are not paid any heed to by Government, all that I can say is that it will be a very bad day for any Government.

With these words I oppose the Demand.

Mr. M. S. Anirudhan (*Karunapapally, Kartigapelly and Ambalapuzha* cum *Shertallai*): Sir, I take this opportunity to offer a few remarks merely to bring to the notice of the Government the important needs of my constituency. Last year, when local needs were brought to the notice of the Chief Engineer, he was good enough to ask us to put in writing our immediate needs. We did do it. Looking at the small amount allotted for road development during the year 1114, I think it is better not to say anything about the necessity for roads. Still, I think I may refer to some of them which I consider really important and urgent.

Sir, the Quilon-Alleppey road and the Alleppey-Arur road are two of the most important roads in the State with very heavy traffic. Unfortunately, these two roads are not properly maintained at regular intervals.

We have been repeatedly appealing to the Government to construct a bridge at Thottapalli. Nothing has been done so far; and I do not know when the Government are going to take it up.

In regard to the road between Alleppey and Thanneermukkam, it is now fifteen or sixteen years since it was taken up; unfortunately, to this day, it stands incomplete.

Then, Sir, there is another road, just one-and-a-half miles long from the ninth mile of the Alleppey-Aroor road to Kanichikulangara. The land has been surveyed and estimate has been prepared; but nobody knows what has become of all these.

Last year, Government were good enough to invite members of the Kuttanad area for a conference regarding the opening of a road from Changanachery to Alleppey through Kuttanad. When we received the invitation we were very jubilant over the matter and really thought that something was going to be done in that direction. The conference was held; our suggestions were recorded. But nothing has been done so far, and we are at a loss to know what the Government propose to do in the matter.

There is a canal between Changanachery and Alleppey. It is almost complete; only a few miles have yet to be constructed. The matter has been brought to the notice of the Government more

than once. Still no attention is being bestowed upon it by the Government. Then, Sir, there is the Alleppey-Shertala canal, a portion of which has already been constructed. The total length of the canal will not exceed 14 miles. About 6 miles from Alleppey and 3 miles from Shertala have already been completed ; there are only 4 or 5 miles in the middle yet to be done. Although the matter has been agitated upon for the last 15 years, Government have not found it possible to finish the work.

I wish to speak a few words about the Alleppey boat basin. In response to the request made by the commercial classes in Alleppey, Government were pleased to agree to construct a boat basin at a cost of Rs. 15,0.0. The work was stopped half-way, and I understand that, unless it is taken up immediately and completed, the whole of the money spent already would be an absolute waste. I hope the Government will look into the matter and do the needful immediately.

With these words I oppose the Demand.

Mrs. Aberanam Gnanasikamony (*Nominated*): Sir, while supporting the Demand I have to make an appeal to the Government for their kind consideration and favourable disposal,

My first point is regarding a road which branches off from the Trivandrum-Cape road near a place called Paramarthalingapuram, goes southward to Thamarakulam and joins the Kovalam-Manakudi road. The road was constructed by the villagers themselves with the consent of the Government, by widening the left bank of the Kottayadi Channel ; and the people have spent up on it Rs. 1,30) in addition to their own manual labour. (*At this stage the President took the Chair.*) Mr. Krishna Aiyangar, the then Executive Engineer, declared the road open and promised that the Government would soon be metalling it for the people. Metalling was begun and was done for about 2 miles. Nothing further was done, and the road is now in a deplorable condition. During rainy season big breaches occur, and the road is dangerous even for pedestrian especially at night. I therefore appeal to the Government to arrange for the metalling of the road as early as possible.

There is another road branching from this road, which passes through Chanthayadi, Eachanvilai and other villages and then joins the Kottaram-Agastiswaram road which requires the attention of the Government. This road was sanctioned :0 years ago in the days of His Highness the late Sri Mulam Tirunal Maharaja. I am glad to find that our appeals made here are being heard by the Government and acted upon. This time last year an appeal was made here regarding the Kovalam-Manakudi road Steps were immediately taken, and we now find that the road is in a much better condition than it was. I was there last week and I found it in a much better condition than it used to be some time back, although I cannot say that full justice has been done to it.

[Mrs. Aberanam Gnanasikhamony.]

Sir, being encouraged by such kindness at the hands of the Government, I appeal to them to bestow their early attention to the two roads I have already mentioned.

Even in the main road, the Trivandrum-Cape road, some parts near small bridges are very narrow, too narrow for two vehicles to cross each other ; and one vehicle has to stop at the other side in order to give room for the other to pass on.

A few days ago an accident was about to take place in one of these places. The frightened bullocks of a cart were about to jump over the bridge as it were and the poor cart driver was in such a panic that he jumped from his cart. No one can imagine the state of mind of the poor cart driver at that time. Fortunately nothing had happened. When I happened to see that, I thought I must represent it to the Chief Engineer here I think the Chief Engineer will be kind enough to do the needful for my constituency. With these words I support the demand.

Mr. Nedumangad R. Kesavan Nair: Sir, I regret, I have to oppose the demand. I am doing it with a view to point out certain necessary roads that are required for Nedumangad. I have brought it to the attention of the Chief Engineer and the other authorities, times without number, but that has not been properly attended to. Interpellations have been sent and curiously some of them have been disallowed. I have spoken to the Chief Engineer in person. The people of certain localities have petitioned to Government stating that they are prepared to give the requisite land free to Government and I am told that estimates have been sanctioned once. I refer to the road that was proposed to be constructed between Aruvikara and Vellanad Also I have pointedly drawn the attention of the Chief Engineer and I am told that the people of the locality have petitioned the Government also, in regard to the necessity of opening a road between Peyyad and Trivandrum. That road would increase the traffic to Trivandrum and enable the raw-materials from Nedumangad to be brought to Trivandrum in a shorter time. But all the same, I am in absolute sympathy with the unfortunate Chief Engineer because he is helpless in the matter. He can only ask for sufficient money but it is for the Government to sanction it. I heard my honourable friend Mr. Sultan Muhiadheen in his maiden speech stating that the Chief Engineer has not granted any roads. I ask where is the Chief Engineer to go for funds. For a big State like Travancore, the provision for next year is Rs. 17,000 for the construction of new roads. Last year

the provision was Rs. 72,000. Think of the difference, Sir, when for the branch of the A. P. I. a sum of Rs. 24,000 is being given annually.

President: Order, order. The member will kindly be relevant.

Mr. Nadumangad R. Kesavan Nair: Sir, there is no point in blaming the Chief Engineer. If you give him sufficient materials and sufficient money and then ask him to give new roads and if he is indifferent there is some point in blaming him. All the same, hailing from a taluk where roads are absolutely necessary when other members go in with applications for new roads to the helpless Chief Engineer who has been given only Rs. 17,000. I also feel constrained to make a similar demand. Sir, pointed references was made yesterday with regard to certain irregularities in calling for tenders and alternative designs. To me it is a sealed book and I should like to know the specific cases which could be stated against the Chief Engineer. Of course, if he has done anything irregular he has to be dealt with. I am just pointing out that there is no meaning in making an attack on the Chief Engineer or pointing out to the Chief Engineer that he should provide us with new roads without giving him sufficient funds for the purpose. Give him sufficient funds and if he is found to be indifferent afterwards there is some meaning in launching an attack against him. Last year in the P. W. D. Budget we found that an amount of Rs. 32,07,700 had been spent. There has been a hue and cry for new roads, for the maintenance of roads and for increased means of communications throughout the State. In spite of that the provision that is made for next year is Rs. 31 odd lakhs, an amount less than what has been spent in the previous year. As I said, the provision for constructing new roads next year is Rs. 17,0,0 against the provision of Rs. 72,000 in the previous year.

Mr. G. Narayana Aiyar: May I inform the honourable member that this amount of Rs. 17,000 includes the cost of metalling the roads also?

Mr. Nedumangad R. Kesavan Nair: That only makes the position of the Chief Engineer much more helpless.

Mr. K. R. Elankath: Sir, I oppose the demand mainly on two grounds; firstly, to criticise the general policy of the Department in alloting funds for the various items which go to make the demand and secondly, to criticise the way in which these funds are distributed to the various localities. I shall not narrate here, as so many honourable members have narrated the local needs one by one because I know that they will not be taken care of by the Chief Engineer as they deserve. He may jot them down before our eyes,

[Mr. K. R. Elenkath]

and throw the paper into the waste paper basket on his way out of the Hall or in his office. He may make jocular remarks to his neighbour. So I do not think much use will come out of it. I shall only say that in the general distribution of funds Government shou'd adopt some definite policy. Year after year what you find in the distribution of funds is that for various items—buildings, communications, miscellaneous expenditure etc.,—amounts equal to those sanctioned in the previous year are brought forward and passed in this House. Now I very much doubt whether these demands have been specifically and carefully brought before the Department by the people who are responsible for giving these figures.

Sir, coming to the actual figures that are before us, out of the total allotment of Rs. 48,45,136 for the Public Works Department we find that a major portion of it goes by way of salaries to the officers. It is a very top heavy department, especially when we find that these officers have practically not much of the work that they were having before when much less was spent on the salaries of officers. Government do not see their way to curtail the expenditure in that direction. Even in the distribution of funds for various items we find a sum of Rs. 1,02,900 allotted for small repairs, small sheds and works like that. Generally what we find in the case of these maintenance works is that they come under Government buildings, and I do not find that this amount is actually spent in repairing or maintaing the buildings. It is in the interests of each Department to see that the demand does not diminish whether there is real necessity for the funds for improvement of buildings or for repairs or not. That is because the head of each Department fears that if he does not ask for an amount nearing the amount which was demanded in the previous year, it may affect him in the future. On that pretext even if a building does not require Rs. 200 or 300 for repairs but requires only white-washing, the previous year's demand is demanded and it is wasted practically. Whether it goes to the Department or to the contractors we do not know. There are leakages in regard to that.

Coming to communications many of my honourable friends referred to the absolute inadequacy of the grant which is being asked for. We do not grudge to allow any amount for communications. But the question is where Government can find funds for them. It is for the Government to cut down under so many items the wasteful expenditure and provide for the actual needs of the people, not only in maintaining the works already in existence but in opening new roads which are the only sources of developing

rural areas. I find that only a sum of Rs. 2,97,700 is allotted for communications and out of this amount not even Rs. 10,000 goes for opening of new roads. What I find is only Rs. 5,000 because as Mr. Narayana Aiyar pointed out that item includes the cost of metalling of existing roads. I wonder how Mr. Kesavan Nair said that Rs. 17,000 has been allotted for new roads. This is a very sad feature indeed.

Another important need of the villages is facility for getting good drinking water. In regard to this I find absolutely no provision made for certain areas which practically need all the help. Although nearly Rs. 5,000 is allotted on the whole for Travancore what I find is that a magnificent sum of Rs. 100 is provided for digging a well in Aloor Pakuthy. What is the use of talking of big schemes for big boons to the masses when only Rs. 100 out of an allotment of Rs. 40 lakhs and more is provided for giving good drinking water to the villagers.

Another thing to which I wish to make reference is irrigation which is the main source on which the cultivators and ryots of South Travancore depend for their very existence. This has been pressed on the attention of this House often times as each session passes on and practically no corresponding result has come out of it. We do realise that Government have been finding ways and means to investigate how the water supply of Kodayar could be augmented, whether supplementary reservoirs could be taken up, whether all the tanks could be restored and all that, but when we come to practical problems what is it that we have got after insistent prayers to Government ?

Not very much. I am glad to find at least some provision for the restoration of a dozen tanks in Nanjanad and Edanad in this year's budget. That is practically a very meagre provision when we look to the present condition of the ryots of that area. The Head of the administration and His Highness the Maharaja of Travancore have visited those areas to the great relief of the ryots and they were anxiously waiting to get a big boon. Although they have got something in that direction, that is not adequate to our expectations when considering that those places contribute much to Government by way of taxation. It is known to all that taxation is very heavy in Nanjanad when compared to the Kuttanad area. The taxation comes to more than Rs. 22 per head and that amount is paid excluding the water cess for getting no water at all. That is the position of the ryots in North Travancore. We expected to get some substantial help from Government, but we have been disappointed.

[Mr. K. R. Elankath.]

More than three-quarters of the total receipts from tolls is realised from South Travancore. There are very many toll gates belonging to Government as well as others and Government are not justified in realising very big amounts by way of tolls from the ryots of South Travancore. It is true that for building bridges amounts have been spent from capital accounts, and tax should be levied on cars that make use of the road. The principle is all good. I do not know how the Government are justified in establishing more than a dozen tolls in and round the Monday Market. There are no bridges anywhere near that place. There are no roads which could consume a great item of the expenditure for maintaining them. Imagine a person who has to take a patient from Eraniel to Neyyoor, that is, half a mile to the Salvation Army hospital. He has to pay a toll. If he has to take his agricultural products to the market, he has to pay a toll. If he has to take manure to some place, he has to pay some toll. In every way he has to pay tolls. Where is money for the poor cultivator to pay as toll on very many ways. Practically the maximum amount got by way of tolls is only six lakhs of rupees. The major portion of this amount comes from the poor agriculturists. Now I ask Government whether they are justified in realising such a large sum by way of tolls and that from the agriculturists in South Travancore.

President: The honourable member will please abbreviate his remarks because there are two other members who want to speak on this demand.

Mr. K. R. Elankath: Therefore I suggest that even if the Government were to make a small adjustment out of the six lakhs received by way of tolls, it will relieve the agriculturists to some extent. There is no objection in increasing the registration fee, even if it is doubled, six lakhs of rupees will not have to be given up. A sum equal to Rs. 2 lakhs may be realised by way of this fee. Therefore by receiving such an amount the Government will not be a loser. Under these circumstances the abolishment of toll-gates should immediately receive the attention of Government. I also request that ample provision may be made for irrigation and other works.

Mr. N. V. Chacko: Sir, North Travancore is a place which has only very few roads and it will take a long time for Government to supply that part of the country with adequate number of roads. It appears that the Chief Engineer is not wanted by certain people but I would be glad if he were to be interned in my constituency, so that he might have better opportunity to know the paucity and poor condition of roads there.

I would make three requests of him. He should take up the roads that were constructed by the ryots themselves and make them cartable by giving them finishing touches as early as possible. Some culverts may have to be made in some cases. He should attend to the construction of the roads for which Government had sanctioned money, but the construction was not begun or had not progressed satisfactorily for some reason or other. The Chief Engineer should construct new roads also at least these that are important.

I will make mention of a few roads of that type, not as the sum total of my demand, but as instances. The first road is from Puthenkurisu to Puthen Chungam. That road when constructed will become an important link connecting the Cochin Harbour. Another road is from Piravom to Peruvumvazhi passing through Ramamangalam. That is now being maintained by the Department. That road has to be improved, although there is an annual show of improvement. Another road is one proceeding from Ankamali to Manjali. It appears the attention of Government and the Chief Engineer are concentrated on towns. I am not saying that towns should be neglected. But the rural parts should also be considered. There is no objection to the face being shaved, the head being combed and scent being applied to it. But some sandals have to be provided by way of protection to the acting feet and some soothing balm applied to the sore soles. Otherwise the head cannot stand. I do not know whether the Chief Engineer is being prosecuted by the Government asking him to make bricks without supplying him with stores as the Israelites of old in Egypt. But whatever that be, I request Government and the Chief Engineer, again and again, that North Travancore may be supplied with more and more roads until aeroplanes have become the fashion of the day in Travancore.

Mr. James Fletcher: Sir, I would like to draw the attention of Government to the unsatisfactory way in which repairs are now carried out in the case of irrigation tanks. Certainly a sum of money is budgetted for improving the irrigation tanks. But that is not adequate. What is being done at present is that the contractors take the silt to the bed of those tanks and leave it there, so much so, when the next rain comes all that goes to the tank. All that is collected from the tank goes back to the tank. Therefore the money spent on it becomes useless.

Mr. K. R. Elankath: May I know whether the silt does not spoil the road also?

Mr. James Fletcher: Yes. My point is not with reference to the roads. My point is with reference to the money wasted on the work which in turn becomes useless. Therefore I would suggest that the Chief Engineer when he gives contract for tank repairs should make it a condition that the silt taken from the bed of the tank is placed in such a position as would not come back to the bed of the tank during the rains. He should make some such provision in the contract so that the silt taken away from the tanks may not come back to them, thereby enabling the tanks to hold as much quantity of water as they can for a few years more.

Another point is that in repairing these tanks, before the final bill is given, the contractor should satisfy the officers concerned that the work has been done to their entire satisfaction. In addition it should be noted whether he has fulfilled the provisions of the contract entered into by him. I am informed that very often work is done in such shabby way that the money spent on that purpose becomes a waste. Everybody has to realise that money is very sacred because it has to be repaid in the form of tax; it has to be so spent as to make the ryot fit for paying back the money in the form of tax. Therefore every pie spent for this purpose should be utilised in the best way possible.

Mr. G. B. E. Truscott (*Chief Engineer*): Sir, so many points have been raised in the course of the discussion that, I am afraid I shall not have time to refer to them all in the time at my disposal; but I will do my best to reply to as many of the important points raised as I can. Many of the questions as usual relate to roads. Such demands as you are well aware are made on every occasion of the budget debate. One honourable member said that we have only Rs. 17,000 under 'new works' for the construction of new roads. That is so. But there is an allotment of Rs. 2,60,700 under "communications—works in progress," for continuing such works, that have been started in previous years. That amount should be added to this Rs. 17,000 to get a better view of the funds we expect to expend on construction of roads during the next year. I am sorry we have not sufficient funds allotted to supply the needs mentioned by the honourable members.

Mr. Godavarma Raja said that a committee should be appointed to prepare a list of roads and bridges to be constructed in Travancore. There was such a committee once and we have a list of roads and bridges prepared by that committee; but what that committee did not do was to indicate any priority in which the construction should take place. I do not know how many years it

would take for Government to work out that list, but it would entail an expenditure of many lakhs of rupees, for I have already sanctioned estimates amounting to, I believe, ten lakhs of rupees pending construction when funds become available. It is not possible for Government to make any discrimination between the importance of several roads in certain parts of Travancore to enable them to prepare a priority list. Therefore I would repeat the plea I made last year in connection with this and, that is, that the members of the several parties in the House should give a list of really urgent roads to their leader and then decide among themselves the order in which the construction should be taken up. If such a list is prepared, Government will, I am sure, allot funds specially for that purpose; and once the urgent needs are known, they are prepared to make a 3 or 5 year plan so that the needs of the inhabitants can be taken care of. I would commend that proposal to the members of this House and ask them to consider seriously my proposal and carry it into practical shape.

Mr. Kottur Kunjukrishna Pillai raised the point that contracts are given outside the State. It was also stated by him that alternative tenders are invited in certain works.

He said that it was a novel procedure instituted by me. I fully explained to this House in the budget debate of 1112 that it was not a novel procedure although Mr. Kottur Kunjukrishna Pillai would still have it that it is so. It is a procedure followed right throughout the P. W. D. in British India and it was in force in this department a long time before I came to Travancore. For example amongst others the Alleppey Pier, the Punalur Suspension bridge, the Neendakara bridge and the Neriamangalam bridge were carried out by outside contractors on their designs some direct and some alternative before my advent. The system with regard to calling tenders for important contracts is that the P. W. Department prepares designs and estimates and submits them to Government. If Government approve, contractors are then asked to tender on that design and also are invited if they wish to submit an alternative design and tender along with their tender for the departmental design. The particulars on which the departmental design was based, that is, loading, width of roadway, etc., have to be adhered to in every way. This method of inviting tenders allows us to take advantage of the latest developments in engineering science by those firms who specialize in such works. We get the latest design in engineering and if the price is favourable Government get a good job at a reduced cost. I do not see that there is anything wrong in that method. It seems to me plain common sense whatever others may say.

Mr. Kottur Kunjukrishna Pillai (*Quilon cum Kunnattur*) : May I know whether the Chief Engineer under this system is enabled by choosing a particular design from a particular contractor to give him also the benefit of the rates that he quotes without competition ?

Mr. G. B. E. Truscott : It might be possible if he wished; it has not occurred to me. But I would say that all the designs are considered and if some one can give us something as good at a cheaper rate by using some other methods of his own, I would recommend Government to accept that offer.

Mr. Kottur Kunjukrishna Pillai : May I know whether any opportunity is given to others after the Government accepts a particular design to tender and compete ?

Mr. G. B. E. Truscott : Not on the contractor's design. All contractors tender on the departmental design, they are not asked to tender on the alternative design submitted by a contractor which is his own property. It is not always the alternative design is adopted, as for instance, the Alwaye bridge is that of the department.

Mr. Kottur Kunjukrishna Pillai : May I know from the member whether the Alwaye bridge, the Kannalipalam and the Jagadhi bridge were all done like this by inviting alternative tenders ?

Mr. G. B. E. Truscott : I was saying that the design of the Alwaye bridge was that of the department, and the others were by alternative designs submitted by the contractors. It was also suggested by the honourable member that bridges should be constructed departmentally. The Chengannur bridge which was constructed departmentally cost Rs. 980 per foot run and the Muvattupuzha bridge cost a bit less, whereas, the cost of the Neriamangalam bridge is Rs. 570 a foot run ; and the Alwaye bridge is estimated to cost much less.

The honourable member said that cement and steel have been purchased in greater quantities since my advent. That is not a fact. The quantities of cement that we have imported yearly for the P. W. D. for the past ten years is about the same although more bridges have been constructed lately than formerly. I may also point out to the honourable member that the use of cement and steel is not a new thing in Travancore. Mr. Bastow, I believe, built the first reinforced concrete bridge in South India. I am referring to the Periyar bridge which, in spite of larger bridges having been built since, is one that any one in Travancore may still justly be proud of.

Mr. Kunjukrishna Pillai has another complaint regarding the lodging of earnest money which he also wishes to criticise. The fact is that a certain contractor submitted a tender to a certain officer and asked that the earnest money to be deposited should be deducted from moneys due to him by Government. This was, on reference to me, refused.

Mr. Muhamed Ismail made special mention of the repairs of a particular road. If the member means the road connecting Ponkunnam—Lalom with Kanjirapally Erattupetta road, I would say the people in the locality have constructed that road and we are proposing now to take that over through the Revenue Department.

Mention was made by one honourable member about certain ryots' roads. The rules are that the roads should be opened to a breadth of 22 ft. and all earth work to be done by the ryots after that, the Land Revenue Department takes over the land and hands it over to the department for improvement and maintenance. In no case is this ever refused and we help the ryots by laying out the line and giving whatever advice they require when asked to do so.

Mr. K. R. Elankath: May I know how many ryots' roads there are which have been completed and handed over to the department?

Mr. G. B. E. Truscott: I have not any idea of the number of roads that Mr. Elankath is referring to. But as soon as the Land Revenue Department takes possession of the lands and hands them over to us, the department takes them under its management.

Mr. K. R. Elankath: May I know what the member has to say about the Neyyoor-Chembavinvila road?

Mr. G. B. E. Truscott: I have nothing to say at present about it as I am unable to identify the particular road.

One honourable member referred to the K. K. road between Mundakayam and Devicolam. I do not agree with the honourable member that that road is in a dangerous condition. I have been up and down the road many times. It would be nice to have parapet along the roads.

Mr. T. Mahomed Ismail. May I know whether the member has travelled all through the road?

Mr. G. B. E. Truscott: Yes, several times. I agree that it would add to the feeling of safety if there was parapet all through. But I must say that I have never felt nervous whether I was being driven in a car or driving myself.

[Mr. G. B. E. Truscott.]

Mr. Thomas referred to the bridge at Palai. An estimate has been prepared for rebuilding that bridge. The estimate amounts to Rs. 2,22,000 and I am afraid it has to wait execution for want of funds.

He also referred to the fact that Government schools were being held in rented buildings. This is a matter with which the department is not directly concerned. But I must say that it would involve very heavy expense if we have to build new buildings everywhere to take the place of rented buildings. It is a matter concerning some other department and not to the P. W. Department.

Mr. R. V. Thomas (*Thodupuzha* cum *Minachil*): I did not mean that the P. W. D. must construct buildings for the housing of schools. I have no objection in housing them in rented buildings. I pointed out that fact to show that it is all the more desirable if Government spends some money for this bridge which is very necessary.

Mr. G. B. E. Truscott: I am sorry I did not understand the honourable member's point; but a sum of Rs. 2,20,000 is rather too big for the construction of this bridge to be considered at present.

Mr. Nedumangad R. Kesavan Nair: May I know what has become of the Vellanad-Aruvikara road?

Mr. G. B. E. Truscott: I am afraid I cannot refer to any particular road now as I have not the information with me. My time is very limited.

There was one reference to Thengapattanam road.

Mr. Nedumangad R. Kesavan Nair: May I know why the Chief Engineer is not going to answer my question?

Mr. G. B. E. Truscott: I cannot answer the question as I am not now in possession of facts regarding the road that the honourable member refers to.

President: Order, order. For the purpose of future guidance, and in order to avoid contingencies like the one now happening, I would suggest that, even though under the Rules appertaining to the State Council, cut motions cannot be brought forward in the same manner as elsewhere, some kind of indication may be given to the Secretaty as to what points honourable members wish to speak about, so that Government members may be prepared to answer those points and so as to obviate this kind of discontent that a particular point which one honourable member has very much at heart has been missed by Government.

Mr. Nedumangad R. Kesavan Nair: I have already sent in an interpellation regarding this road which has been admitted.

President: The fact whether an interpellation is admitted or not does not arise. I am referring to the budget procedure.

I will give you four minutes more due to my interruption.

Mr. G. B. E. Truscott: I have never refused to answer any question at any time if I have the information or material at hand to do so, but I really cannot remember the road that the honourable member has referred to. When the interpellation comes I shall be only too glad to give what information I am able.

Mr. Kadir Bhoy urged the need for a Pier at Quilon. That is being considered. I have submitted a report to Government regarding its construction and it is engaging the consideration of Government.

Mr. Korah referred to the need of a T. B. at Changanacherry. An estimate of Rs. 11,700 has been sanctioned for the construction of another T. B. in the place of the old one, but is awaiting funds for its construction.

Another honourable member referred to the construction of a canal from Alleppey to Changanacherry. It was started, but as the land-owners refused to give up their lands, Government decided they would not proceed with the work. An alternative of a combined canal and road has been decided on, but I cannot say when that is likely to be started as the amount of money involved is considerable.

I am afraid that time does not permit me to refer to the other points mentioned by the various honourable members, but their remarks will be noted. But before concluding I must say that I deprecate the personal attacks made on me by the honourable members of this House who saw fit to do so.

The demand was put to vote and carried. The grant was made.

DEMAND V—ELECTRICITY AND TELEPHONE.

Mr. K. P. Padmanabha Menon (*Electrical Engineer*): Sir, I move for a grant of Rs. 32,11,054 under Demand V—Electricity and Telephone.

Mr. Ananthasiva Aiyar: Sir, I oppose the demand. The main item of expenditure in the operations of paddy cultivation in Kuttanad is the pumping out of water from the fields. This is being done now by means of pumps worked with mechanical power. The average cost of pumping out water ranges from 1 to 1½ Rs. in kayal reclamations and 6 to 8 as. on karapadoms. Considering

[Mr. Ananthasiva Aiyar.]

the outturn that the people are getting from these lands I must say that the amount that they are now spending for the purpose of pumping out water is absolutely out of proportion to the yield they get from the land. The ryots are consoling themselves that they will be able to have the work of pumping done much cheaper when the Pallivasal Hydro-Electric Project begins operation. So they are anxiously waiting for the current from the Pallivasal scheme. When the lines began to be constructed it was said that the line was to pass through the kayal area: That is, that the line between Kottayam and Alleppey was to pass from Pallom to Alleppey through the Vembanad Reclamation area. Now we find absolutely no work in that direction and the line has been diverted from Pallom through Mavelikara, Tiruvalla and so on. I would like to know from the Electrical Engineer whether he has a scheme in mind to see that we are served with the current, and whether they are going to construct a line through the Vembanad Reclamation area so that we may get the advantage of the scheme. Not only that, on the expectation that we would be getting power for utilising for this purpose, we are not going in for the purchasing of new engines for pumping out water. If the department are not going to give us power, we have to go in for crude oil engines for this purpose.

Sir, I have been reading from the Hindu or some other paper very lately about the wo derful help that electric power would give to cultivators in the matter of eradicating pests and other evils which are doing great havoc to the paddy cultivators. We tried ever so many experiments as suggested by the Agricultural Department. I myself had a very bad experience last year by adhering to the advice given by the Agricultural Department in this matter and I had to loose crops which stood on my 25 acres of land. There was pest in the crop. The experts advised me to use paris green to destroy the pests. I obeyed them and the result was that I had to lose very much. We are very anxious that the Electrical Department would do something in this matter of eradicating pests from the paddy lands. With these words I oppose the demand.

Mr. Nedumangad R. Kesavan Nair: Sir, I oppose the demand. In doing so, I wish to draw the attention of the Electrical Engineer to certain important points relating to the working of the department. I am specially referring, Sir, to the electric supply to the town of Trivandrum. The Administration Report for 1112 would show that in spite of the reduction of the cost per unit of electricity from 6 as. to 5 as. the income of the department has considerably increased. Sir, with your permission

I may read a relevant portion from the proceedings of the Government on the Administration Report of the Department for 111?. It reads thus :—

"It is noteworthy that in spite of the reduction of the tariffs from 6 as. to 5 as. a unit for domestic consumers, the revenue showed a remarkable increase."

Certainly, Sir, the surplus was due to the increase in the number of consumers as a result of the reduction in the tariff per unit of the current. To the best of any information I find that the generating cost per unit of electricity is 1 anna. Even that one anna may be reduced further since we make so much provision for depreciation charges. However, let us assume it is one anna. Then I ask, Sir, is not 5 as. per unit, an exorbitant rate so far as the consumers are concerned. Are there not other States which give electricity at lesser rates? If the department will still reduce their tariff rates per unit to 4 as. or 3 as. they could get more consumers and thereby increase the revenue to a considerable extent. That is one of the important points which I should like to lay stress for the information of the Electrical Engineer.

Then, Sir, I have to make a few observations in the matter of providing street lights in the town of Trivandrum. Of course nobody would deny that the metropolis needs beautifying. But if the Electrical Department so think they can improve the present system of lighting to the better advantage of the people and the town as well without incurring additional expenses. I note, Sir, that there are about 36 miles of supply line for the town of Trivandrum. In spite of this 36 miles of supply line, we find that a number of streets are lighted with an unnecessary number of light points. They seem to crowd in certain places while some other roads are not provided with any light at all. Therefore if the distribution of lights were discriminately done, of course keeping in view the amenities of the public, it would have been more beneficial to the people as well as to the town itself. Now, Sir, there are certain places where certain houses do require electric connection. For this, posts have to be supplied by the department on the road. Nevertheless, the department is not providing those roads with lights. I know there are certain places in the town itself, for example Vanchiyoor, Kunnukuzhi, Kannanmoola, where there are posts only and no lights. In other places like Thaikad and Vazhuthakad, lights are provided very lavishly in all the posts which are placed unnecessarily near each other. I urge this fact for the attention of the department so that all the residents of Trivandrum might enjoy the benefits that are sought to be given by the department.

[Mr. Nedumangad R. Kesavan Nair.]

Sir, a more discriminatory correspondence with the local Municipality regarding the supply of lights should engage the attention of the department in the matter of giving lights to the whole town of Trivandrum without any additional cost. I would invite the attention of the Electrical Engineer to another thing also. That is regarding service connection. I understand that for a distance of 50 ft. the service connection is given free. For the remaining distance if it is more than 50 ft. the consumer has to give ready cash Now ordinarily for service connections, we require an investment of about Rs. 200, at any rate, not less than Rs. 200. And there might be a number of persons who would require service connections but who are not able to pay the amount in a lump sum. If the department allows payment by instalments, in the case of such persons it will be more advantageous to the consumer and the department will have a larger number of consumers as well.

Sir, I have to make an observation on one other point. For connection charges, the department demands 5 Rs. But in other parts of India the connection charges are much less. The Electrical Department demand 5 Rs. for testing also. Supposing there is a disorder which might be repaired by taking a bulb and replacing it; it is no disorder at all, but a layman does not know how to take off and replace a bulb. Supposing there is such a demand and you call for the help of a man from the department for the purpose of taking off the bulb and replacing it, then you are required to pay Rs. 5 as testing fees. This is certainly hard.

The House adjourned for lunch at 1 p. m. and reassembled at 2 p. m.

Sir, I was pointing out the necessity of providing more lights in the Town of Trivandrum. I suggested a method by which more lights could be provided without incurring any additional expenditure. I was at the point of stating that the charge that was levied by the Department for testing is Rs. 5 though practically not much work is to be done by way of examining or testing the light that is in disorder. That difficulty could be obviated if the Department could insist on making periodical examinations free of charge. Of course, they could do it once in six months or once in an year. If you insist on the charge of Rs. 5 being the fee for testing there will be the possibility of many consumers not letting the Department know of any disorder that may exist for fear of giving Rs. 5. Consequently, the Electric Installation running into disorder continues and this might lead to very serious accidents and dangers.

Another suggestion that I would offer to the Department is the abolition of the charge of Re. 1 that is now being levied by way of fuse fee. There also, if a wire happens to go out of order, it does not need any additional expenditure. It requires only a replacement of the wire. Nevertheless, the Department levies a rupee from the private consumers with the result that the private consumers are often tempted to seek the aid of private electricians in spite of the fact that it may be eventually penal. If this fusement fees is also reduced I would assert that the Department would be able to realise greater revenue.

Sir, another very important point I would bring to the attention of the Government, as also that of the Electrical Engineer, is the insistence by the Electrical Department on the deposit of Rs. 10 by every consumer. Now an explanation may be given by the Electrical Engineer saying that Rs. 10 is a sort of deposit so that the consumer may not make a default. That difficulty could be obviated by giving connections for all buildings for which the owners are the applicants without deposits. At present the system is that, irrespective of the fact whether the applicant is a tenant or owner, if he makes a deposit of Rs. 10 the building is electrified. The fact of his being a tenant or the owner of the House is not considered. If the Department would insist that the owner has to make the application they could do away with this deposit of Rs 10. Supposing any default or dues accrue to the Government they could recover it under the Revenue Recovery Regulation.

Mr. K. R. Elankath: In that case supposing a house owner has made some other charge leviable on the house, how could it be realised by the Department?

Mr. Nedumangad R. Kesavan Nair: I suppose my honourable friend knows that Government dues must have a first charge. The owner of the building has to undertake that the connection may be given. Or the owner may be asked to give an undertaking that the properties are not encumbered.

President: Honourable member has three minutes more.

Mr. Nedumangad R. Kesavan Nair: Yes. If he gives that undertaking and if he is incorrect there he will be subjected to criminal action. If recourse will be had to that method then connection could be given to the private owners and default of payment could be avoided.

Sir, the system of depositing Rs. 10 results in an amount of Rs. 24,000 being given to Government by private consumers. It am told that this Rs. 24,000 is deposited by the Electrical Department in Government without any interest. The Electrical Department also does not get any interest. The consumers who deposit also do not get any interest. So from the financial point of view also this is dterimental.

[Mr. Nedumangad R. Kesavan Nair.]

A word about which I should like to have some explanation from the Electrical Engineer. I was told last year, when I questioned—when the Administration Report of the Department for the last year was given—that one major Howard and Sgr. Marcelo inspected the Pallivasal Hydro-Electric Scheme and gave their opinion. I asked the Electrical Engineer and he said that some sort of remuneration was given to them. It is my information that the inspection was made before the discovery of some defects. What was the remuneration given to them and what was the amount paid to the Tunnel Engineer? I am not saying anything about the merits of these matters; they are *sub judice*. I understand that there is an inordinate delay in the enquiry and that a large number of files in the Chief Engineer's office that require prompt attention are pending disposal because these files are elsewhere.

President: What is it? The honourable member will kindly repeat.

Mr. Nedumangad R. Kesavan Nair: As a result of the enquiry that has been lodged against the Russian Engineer a number of files that require prompt attention at the hands of the Chief Engineer and the Engineering Department are now pending elsewhere.

President: Order, order. Will the Chief Engineer enlighten the house as to whether this is a fact and if so how that information has leaked out?

Mr. G. B. E. Truscott: I don't know how this information has leaked out. The honourable member has stated that certain files have been sent to the Chief Secretary from my office, but how he obtained this information I have no idea.

President: I hope the Chief Engineer will take very prompt action against those who are responsible for this.

Mr. G. B. E. Truscott: Yes. Now it has been brought to my notice that some information has leaked out but the fault may not lie in my office. But I will certainly do my best to find out if anyone in my office is guilty.

President: I hope the Chief Engineer will take prompt action in this matter.

I do not blame the honourable member at all because it is open to the honourable members of the Legislature to obtain information from any source and to impart the information on the floor of this House subject to the Rules of the debate. It is absolutely clear that if as stated by the honourable member certain files have gone from the Chief Engineer's office or any other office to the

gentleman who is making the enquiry and on that ground certain files are delayed, those are matters entirely between the Government Department and the enquiring officer. It must be distinctly understood that Government business would be impossible if such information were to come out. I hope the honourable members of the Legislature, who are co-operating with the Government will be the first to realise that if this kind of thing takes place it is quite easy to imagine many other things taking place. For instance it will be mentioned here that a certain Assistant Secretary noted upon a file in a certain way and that the Chief Secretary sent it back with another note, and so on and there is no knowing where it will stop. Therefore I trust the official members will see to it that no room is given for such questions or information being debated on the floor of the House.

Mr. Kottur Kunjukrishna Pillai : I wish to draw the pointed attention of this House and the Electrical Engineer to one matter only. Sir, some time ago, the Electrical Engineer came forward with a supplementary demand to train up one of his assistants in Hydro-Electric work. He stated at that time that it was absolutely necessary, and that the demand could not wait till the usual budget session because it was an urgent matter. That supplementary demand, I understand, Sir, was debated upon and in spite of the opposition to the demand being granted on account of the want of urgency in the matter, the Electrical Engineer insisted on saying that the training is absolutely necessary and that it could not wait. He stated that he will not be able to discharge the work without such a trained man and therefore the demand was granted by the majority of the House.

Mr. K. P. Padmanabha Menon : Sir, I would correct the honourable member. I think it was not made during the supplementary grant. The demand was made during the budget session.

Mr. Kottur Kunjukrishna Pillai : Sir, I am not sure whether it was during the regular budget session or not. So far as I can recollect I think it was during the supplementary grant. I was referring to Mr. P. Joseph John who was to have been......... I think the Electrical Engineer will refer to that again, because I took part in that demand and opposed it on the specific ground that there was no urgency to bring that as a supplementary grant. Any way, I am not in a position to lay my finger on that just now. I definitely remember that it was during the supplementary demand that this question was brought up. Any way, I now find that that amount has not been utilised and that officer has not gone for training. When Departmental Heads put forward demands for particular items, I think they will be considering the necessity of such

[Mr. Kottur Kunjukrishna Pillai.]

demands and if there is no absolute necessity they will not put it on for the consideration of the House and obtain a decision. Having obtained a decision without paying much attention to that the whole matter should not be dropped. That is not quite proper or fair to the House. Is it the contention or will it be the contention of the Chief Engineer that that training was found to be unnecessary after some time, or is it the contention of the Chief Engineer that he is not going to be put on the Hydro Electric works and that he will be put in charge of the thermal-stations only?

Or, has he, after consideration, come to the conclusion that it is not necessary to train him up? Sir, it is not my concern just now whether that officer is trained or not. What I want to point out is that departmental heads should not be allowed to come forward with demands before they investigate into the matter thoroughly and are absolutely satisfied that there is real necessity for the demand. Then only should they be allowed to come forward to the Legislature and get its decision on the matter. That is a matter which I should like the Electrical Chief Engineer and the Government to bear in mind.

Another point which has been debated upon in this House and elsewhere is with regard to what is called the high rate charged for electricity in Quilon and Trivandrum, and the huge profits that the Department is making. I for one do not see any justification for that complaint. On the one hand hon'ble members representing rural constituencies come forward and say that large sums of money are being spent in towns while the rural parts are not given even their necessities. That being so, I do not see how it can be legitimately complained that the Government are getting sufficient remuneration for the amenities that they supply to the towns. If the Government are making large profits it is with a view to see that such schemes can be extended and improved by the money saved. Those who are enjoying amenities must legitimately be prepared to pay for it; and it is not fair to ask the rural tax-payer to contribute to any extent to such amenities which he is not enjoying. Therefore I am against the complaint made by some honourable members against the department making sufficiently good profit on the electric supply service in towns.

With regard to the Pallivasal Hydro-Electric works, it is very gratifying to find that the work will come into force by next year, and I hope that there will be no unforeseen difficulty; because, I may say that the whole country is watching the successful fruition of this work with very great concern. I hope the Electrical Chief Engineer will assure us that there will be no avoidable delay in the successful working of this great project on which the people hope so much.

President : Honourable members will notice that there are only 25 minutes more for this Demand. Therefore, I shall give 5 minutes each for two honourable members.

Mr. K. R. Elankath : I wish to make a few observations in supporting this Demand. The Electrical Chief Engineer will admit that, in propotion to the increase of demand and supply, the cost will be reduced. That is a position which cannot but be accepted, and it is on that basis that we expect greater increase in our receipts under Electricity. Sir, the Budget provides for an additional set of generators. As regards the reduction of rates, it is my considered view that abnormal reduction, all on a sudden to the actual working charges cannot be commended ; because, this is both a utilitarian as well as a commercial concern to the Government. It ought to be like that. Sir, no person should have any objection to pay for electricity what he has actually been spending for his old oil lamp. Probably, 5 annas per unit is a bit too high. I do not think there will be any difficulty in reducing it to 4 annas although it will be quite possible to reduce it even further after the Pallivasal Scheme begins to work. Any clamour for further reduction is against principle ; because the rule of taxation is to collect as much as possible from the rich and to distribute it to the poor. It is only the well-to-do man that will afford to live in towns either on business or in Government service ; and it is only the towns that get electricity.

Mr. Nedumangad R. Kesavan Nair: May I know whether reduction in the rate would not be an incentive for more people to take electricity so that the income of the department would increase?

Mr. K. R. Elankath: I can understand my friend's argument if electricity is supplied to rural areas. But as far as towns are concerned, almost all are already consuming electricity at the present rate which they can well afford, and there are only very few who cannot afford it.

Mr. Nedumangad R. Kesavan Nair: Will not such people also make use of electricity if the charges are reduced?

Mr. K. R. Elankath: But the general decrease in the income on account of such reduction will be much more than the increase due to such consumers. That is my point.

As regards the deposit, I should think that it should be insisted upon; because that is the easiest way for realising arrears. It is not wise that even for these small dues we provide for the elaborate and cumbrous processes of the Revenue Recovery Regulation. After all, Sir, it is only a small amount that the consumer has to deposit.

[Mr. K. R. Elankath.]

I have one suggestion to make. The idea now is to extend the Pallivassl Scheme up to Quilon, so that what we have now to consider is the case of towns and rural areas further south of Quilon. In regard to that, if the municipalities can well afford to have their own installations and generating equipments, Government should sanction such proposals from municipalities; and in other cases Government should advance loans to the municipalities and ask them to supply electricity to the municipal areas.

With these words I support the Demand.

Mr. N. V. Chacko: I would like to thank the Electrical Chief Engineer for his coming forward and undertaking the full responsibility for the mistakes committed in the selection of the site of the first Power House which had to be given up. Generally we find departmental heads shoving of their responsibility in such cases on poor, low-paid subordinates making scape-goats of them. This one act of the Electrical Chief Engineer makes it our duty to forget all his mistakes and to absolve him of all his sins.

In regard to the Pallivasal Hydro Electric Scheme, Sir, I cannot help remarking that we find there almost every mistake from the first discovery of electricity to its present development being rehearsed. If care had been taken, probably all that could have been avoided.

One request that I have to make to the Government is that villages also should be supplied with electricity. There are ever so many rice mills all over the country, and most of them are in the villages. We also require electricity for demestic and irrigation purposes. Of course, people are prepared to pay, so that there cannot be any justification in not supplying electricity to them. It is almost tantalising to find electricity being taken over our head to distant places while we ourselves are denied it. I hope that electricity will be available to the people of Travancore at a very early date and wish that the best use would be made of it and that the rural parts also would be given all its advantages.

Mr. Abdul Tayeb Sheikh Kaderbhoy (*Commerce and Industry, South*) : Sir, I also rise to support the Demand. I agree with the suggestions put forward by my friend Mr. Kesavan Nair that the rates should be reduced. If it is not possible to reduce it to 3 annas per unit, I request that it may be reduced at least to 4 annas : and by doing that I am sure there would be more consumers. The Government will be benefited in that way.

In regard to the Pallivasal Scheme I wish to know from the Electrical Engineer at what rate he will be able to supply power to industrial concerns, and whether such rate would be uniform for all industrial concerns or would be different for different industries,

We want this information in time so that we can make up our minds in the matter.

In regard to Telephone Installation for Quilon, I am glad to find provision for that in the Budget for 1114. I only request the Electrical Engineer to see that the work is done as early as possible.

Mr. K. P. Padmanabha Menon: Sir, I shall first deal with the supply of power to the Kuttanad area for pumping purposes. The question is already under the consideration of the Department. A preliminary investigation of the area to be served has already been completed. There are about 40,000 acres of Punja lands which can be grouped under 3 classes in accordance with the depth of water to be pumped. The main transmission line is not run direct from Pallam to Alleppey as it was originally proposed, due to certain constructional difficulties. The idea of the department is to construct its own lines or to distribute power through licensees in these 3 different groups of areas in 3 different stages. The first stage will comprise the distribution of power in all the backwater reclamations where at present pumping charges are the highest. The second stage will comprise areas a little towards inland where ordinarily there is 3 to 4 feet of water to be pumped out. Details of these proposals have been completely worked out, and the Electrical Engineer is now in correspondence with the Advocate-General regarding the ways and means.........

President: The honourable member is making the same mistake that I adverted to some time ago; his correspondence with the Advocate-General is not a matter for discussion on the floor of this House.

Mr. K. P. Padmanabha Menon: I am sorry, Sir. The question how far these lands could be brought under the existing Irrigation Regulation is being considered so that cultivators may be in a position to pay the pumping charges along with land tax. It is hoped that as a result of these investigations a satisfactory solution will be reached whereby substantial savings can be effected in pumping expenses.

Mr. M. K. Ananthasiva Aiyar: My question was whether we will have to go in for fresh machines and I did not get an answer for that. If there is delay we will necessarily have to go in for fresh machines.

Mr. K. P. Padmanabha Menon: Unfortunately, I am not in a position to guarantee electric supply within a definite period, but it is my hope to commence supply as early as possible

[Mr. K. P. Padmanabha Menon.]

to avoid the land owners going in for new engines and thus defeating the very object with which the Pallivasal Hydro Electric Scheme has been inaugurated. I hope that such a contingency, *viz.* the necessity to purchase new engines will not arise and every effort will be made to supply power as early as possible at least in regard to those areas where the pumping expenses are the highest at present.

With regard to the Trivandrum Electric Supply about which the honourable member, Mr. Kesavan Nair has raised some points, I shall deal with them seriatim. It is true that the generating cost of energy at Trivandrum is much less than five annas. The actual generating cost is ·596 of an anna. But we have got to consider the cost of distributing that power. The investment on the distribution system is a very heavy item of capital expenditure. In addition to the return on that investment we have got to take into account the distribution losses also and a correct valuation of the power when it reaches a domestic consumer will be in the neighbourhood of 2·86 annas.

Mr. Nedumangad R. Kesavan Nair: I believe that includes depreciation charges also?

Mr. K. P. Padmanabha Menon: Yes. Depreciation charges have to be considered in arriving at the cost of distribution.

Sir, with regard to the rates, it has been stated that the rate in Trivandrum is very high. In this connection I have got to repeat what I said elsewhere that although 5 annas may appear somewhat higher than what prevails elsewhere, it has to be considered that the Trivandrum Electric Supply consumer does not pay any meter rent. The minimum charge for a consumer here is Re. 1 As. 8 per month which is the lowest in South India. The Madras Hydro Electric Department also supplies power to domestic consumers at a minimum charge of Re. 1—8 as. but there they charge in addition a meter rent of 6 annas per month. Thus, actually, the minimum charge at Madras is Re. 1—14 as., whereas here in Trivandrum the minimum is only Re. 1—8 as. The average consumer in Trivandrum pays about Rs. 4 a month and it is very easily seen that there is very little difference between what the consumer pays in Trivandrum and what the consumer pays in Madras. This is in regard to domestic consumers.

I am not dealing with the industrial consumers because we have only a few instances here.

Mr. Nedumangad R. Kesavan Nair: May I know whether the member has included in his calculation the electric supply to Government installations also?

Mr. K. P. Padmanabha Menon: No, Sir. I am only dealing with domestic consumers. In Government buildings the average consumption is much higher.

With regard to street lighting in Trivandrum, I am sure the honourable member will agree with me that there has been substantial improvement both in the extent of street lighting and in the quality of street lighting. All this has been effected as a result of a satisfactory agreement having been reached with the Municipality and also because of the progressive policy of Government. Last year 317 additional street lights covering nearly 15 miles were provided and this I consider is a very substantial improvement. I am hoping that as a result of further negotiations with the Municipality, the street lighting will be extended further. There are 60 miles of supply lines in Trivandrum and I believe that a major portion of the roads where the supply mains are installed is provided with electric lights.

I quite agree that the service connection charges are a source of complaint to many consumers. But I cannot agree that the average cost of a service connection is so high as stated by one honourable member. I have gone into the figures very closely and I know definitely that Rs. 200 is more an exception than the rule. I am speaking with reference to the bulk of the consumers. The majority of them get their service connection free. It must be conceded, however, that Trivandrum, unlike other towns on the east coast, consists of garden houses and naturally this results in increased investment on service connection charges. Therefore, if some sort of a rule is not insisted on by which service connection has to be paid for, it will increase the capital cost of the whole scheme to such an extent that many of the small consumers who may not generally have to pay for service connection charges will not be in a position to take advantage of the electric supply. It is, however, the hope of the Department that sooner or later, probably sooner than later, it may be able to revise the rules in such a manner as to make it easier for any consumer to pay service connection charges by instalments.

With regard to the testing fee of Rs. 5, I have to mention that such cases as mentioned by the honourable member can be attended to by certified contractors. This fee of Rs. 5 is specially levied with a view to see that the wiring contractors do their work satisfactorily. Otherwise, the Department will be called upon to pay periodical visits to test the installation and certify to the good quality of the work.

Mr. Nedumangad R. Kesavan Nair: May I know from the member whether there is any difficulty in insisting on periodical testing?

Mr. K. P. Padmanabha Menon: There is no difficulty Sir. The Electricity Regulation does not fix any responsibility on the supply concern for the satisfactory condition of the installation in the premises of a private consumer. It is the duty of the consumer to see that his installation is kept in satisfactory working order. For that purpose, a large number of certified contractors are generally available and wherever the assistance of the Inspectors of the Department is wanted, it is always given and a nominal fee of five rupees is charged. This, I consider is reasonable, because the inspection may take generally some 3 or 4 hours, though in some exceptional cases, it may not take more than half an hour. All the same, we have to make a uniform rule and we cannot show any discrimination in the matter.

With regard to fuseman's fee, I consider, Sir, that that is only a legitimate charge. Ordinarily, the fuse inside the cut-out should not blow unless the installation is defective. If the fuse outside the fuse box goes, the consumer can get it repaired by any contractor without payment to the Department. But if the fuse inside the cut out goes, it shows that the installation is defective and therefore the owner should pay for getting it replaced. Therefore, this fee of Re. 1 is necessary.

Mr. Nedumangad R. Kesavan Nair: Could not the man who comes to read the meter be asked to test it also without any additional labour?

Mr. K. P. Padmanabha Menon: This is not practicable, Sir. There are only five or six meter readers in Trivandrum and they have more than 3,000 meters to attend to and it is therefore not a practicable proposition.

With regard to the deposit of Rs. 10 another honourable member has answered on my behalf. It is all very easy Sir, to say that the Revenue Recovery Regulation can be resorted to for the recovery of amounts due from consumers which generally may range between Rs. 3 to Rs. 4. It is far better for the consumer to deposit Rs. 10 with the Department and avoid all the complications. In the case of owners of properties who are also consumers themselves, the same difficulty arises if the Revenue Rrcovery Regulation is resorted to. Why should a consumer be put to all these expenses if he can avoid all those by depositing with the Department a sum of Rs. 10? Another point about these deposits that was raised was the question of interest. It is not a very precticable proposition to pay interest on these deposits. As matters stand at present, any consumer is at liberty to withdraw his deposit by giving probably a day's notice. Therefore that money should be

available for repayment at any time. If interest on these deposits is insisted on, one can imagine the time involved in working out the interest in the case of each deposit of Rs. 10.

Mr. Nedumangad R. Kesavan Nair: May I know whether these deposits do not come to Rs. 24,000?

Mr. K. P. Padmanabha Menon: Yes, but it is a sort of circulating money. It is the money which one cannot say belongs to 2,400 consumers only. It belongs by circulation to perhaps 4,000 consumers in the course of the year. One consumer might have ceased to be a consumer and another may have occupied the same premises.

With regard to the enquiry about Mr. Dorofeeff, it is outside the puview of my Department. I do not propose to make any observations.

As regards the deputation of an Assistant Engineer, about which my honourable friend Mr. Kottur Kunjukrishna Pillai mentioned I know definitely, Sir, that a provision was made in the Budget for 1112. It was my intention, Sir, to depute an Assistant Engineer at that time. But what happened subsequently was this. It was at about the same time that we experienced diffculties in Pallivasal. The question of sending a man immediately was therefore not pressing. In the meantime, the activities of the Department expanded considerably, especially with the additional construction work in connection with the Pallivasal Hydro Electric Scheme, and the organization of my department had to be considerably increased due to the ereation of the Commercial Engineer's place. On account of the fact that I had to take up the Commercial Engineer's work myself, it was found desirable to create a place of another Executive Engineer. Experienced men in the Department were not available and there were very few Travancoreans also available at that time for being taken into the Department. In these circumstances, with a view to save money, I recommended to Government that this deputation need not be given effect to at that time. Moreover, it so happened that one Travancorean Engineering Graduate who had been abroad recently came back after undergoing training in hydro-electric stations in Switzerland and other places and he has been recently recruited by the Public Service Commissioner in a subordinate rank. He is now getting experience in the erection of the machinery at Pallivasal and the idea is to send him to Pykara Generating Station for getting experience in the actual operation of the plant there.

This I consider to be more economical to Government, though the original idea was strongly pressed by me. I do not mind saying that I had to revise my original proposal. With regard to the question of extending the supply of power from the Pallivasal Scheme from Quilon to Trivandrum and further south, I may state

[Mr. K. P. Padmanabha Menon.]

that it will be taken up as and when conditions justify. We have to work out the scheme that is now projected in the first stage and see how far the demand gets popular. If the extension of the hydro electric power becomes justifiable, I think, it will definitely be the policy of Government to encourage the extension of the supply to areas even south of Trivandrum. It is hoped that when the Quilon thermal Station ceases to operate with the advent of the hydro-electric supply, all the generating plants available there could be utilised elsewhere. Although no difinite scheme has been prepared in this connection, this possibility can be kept in view and the suggestions made by the various members would be considered.

In regard to the rates for industrial power mentioned by Mr. Kadar Bhoy, I may say that the Electricity Regulation makes it clear that no discrimination should be shown to any consumer. The rates are applicable to one and all uniformly. But in hydro-electric schemes it is the usual practice to apply a lower rate to consumers within the vicinity of the generating Station and this practice is proposed to be followed here also.

With regard to supply of electricity to the villages, I may mention that a survey has been conducted in Shertallai, Mavelikara, Muttam, Karthigapalli, Haripad, Kayankulam, Thiruvalla, Chenganacherry, Pallom, Chengannur, Parur, Alwaye and other places which are in the vicinity of the power lines now being constructed.

Mr. N. V. Chacko : May I know whether Puthencruz is also included ?

Mr. K. P. Padmanabha Menon : Puthencruz is not included, but it will be taken up when there is demand.

With regard to the question of payment meted out to Major Howard, I think it has been the subject matter of an interpellation and necessary figures have been furnished to Government.

President : The question before the House is that a sum not exceeding Rs. 32,11,054 be granted under demand V—Electricity and Telephone.

The motion was put and carried.

The grant was made.

DEMAND VI—WATER WORKS AND DRAINAGE DEPARTMENT.

Vastuvidyakusala C. Balakrishna Rao : Sir, I rise to move for a grant not exceeding Rs. 23,75,020 under Demand VI—Water Works and Drainage Department.

Mr. M. K. Ananthasiva Iyer : Sir, I support the demand. In doing so I wish to make a few observations. Yesterday when dealing with the demand on Public Health and Sanitation I pointed out the necessity of providing good drinking water for the people of Kuttanad. It was with great gratification I received the reply of the Director of Public Health that the Water Works Engineer is intent on providing water for the Kuttanad area by means of boring tube wells. I also see that two of them are going to be erected in the course of the next year. When the budget estimate for 1113 was presented to this House last year an amount of Rs. 35,000 was alloted for the purchase of machines required for boring. But this year I do not see that provision in the budget nor any provision for the purchase of that plant. From the reply given by the Director of Public Health yesterday I understood that the boring plant has not arrived yet and that it is expected early next year. I do not know how the Water Works Engineer will be able to take delivery of the plant without the necessary provision in the budget. I would like to be enlightened on that point by the Water Works Engineer.

The next point is in regard to the safe working of the Water Supply scheme in Kuttanad. I think it is absolutely necessary that Village Panchayats should be introduced in almost all the places where water facilities are to be supplied. A few months back in dealing with this question the Dewan Peishkar, Quilon had been to our place to discuss the matter with the people. There was a good congregation. The question as to whether they would be prepared to accept Village Panchayat was moved and almost all the people unanimously agreed to accept the establishment of a Village Panchayat for them, in the matter of getting good water. Now I do not know where the proposal stands. Unless there is hearty co-operation between the Water Works Engineer and the Revenue Department in this matter, the safe solution of the problem is far remote. Therefore I would request Government to see that we are given good water and at the same time for the safe working of the scheme for future years and to avoid further investments regarding the expenditure that will have to be incurred by Government that Village Panchayats be established along with providing good drinking water.

Mr. M. S. Anirudhan: Sir, I would like to offer a few remarks on this demand. It is very unfortunate that sufficient attention of Government is not drawn to the question of water supply in rural areas. In the year 1113 there was a proposal to supply water to some of the villages in Kuttanad as well as in South Travancore. But nothing substantial seems to have been

[Mr. M. S. Anirudhan.]

done as yet in the matter. About the supply of water to Kuttanad regions my friend Mr. Ananthasiva Aiyar has already spoken. There is urgent necessity for providing good water to those areas. It is a place of water everywhere but not a drop to drink. That is the position and therefore it is high time that something in that direction is immediately attended to.

In regard to the supply of water for the coastal regions of Karunagapally and Karthikapally this matter also was brought to the notice of Government and the same has not engaged the serious attention of Government. I appreciate that the Government do not deny the legitimate demands of the people in the matter of providing good drinking water for them. I wish the Government would take the necessary step in the matter as early as possible.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, I rise to support the demand. In doing so, I wish to draw the attention to the Water Works Engineer to the necessity for providing good drinking water to hundreds and thousands of pilgrims, during pilgrimage season, that go to Sabarimala. As a representative of the pilgrims I think I am competent to say that the pilgrims are put to infinite difficulties for want of good drinking water and year by year the number of pilgrims increase to so abnormal a number I have to state in this connection that not only no good water is available for drinking purposes but no bad drinking water is available in the hills. I am glad to note that the Government have deputed some engineers to look into it and I hope that at least for the next season the Government will have done something to relieve the sufferings of the public that go to the hills.

I wish to associate myself with all the remarks that have been given expression to by my friend Mr. Ananthasiva Aiyar regarding the necessity for providing drinking water in Kuttanad. I am glad that the Government have done something for the people of the coastal regions of Karunagapally and Karthikapally. But as my friend Mr. Anirudhan pointed out that sufficient attention has not yet been paid by Government to supply water to a considerable group of people on the coastal regions. Of course drinking water is coming nearer and nearer to the coastal portions in some parts of those places because of erosions of the sea. So, it may be said in an ambiguous sense that water has come near the coastal regions and consequently water is available to them. I trust the Water Works Department will do something by putting up some pumps or some other devise to give water to the coastal population.

Without any disparagement to other departments I may say that all the people of the country and all parties of the legislature will congratulate Government on the very efficient working of this department. Whether at Alleppey or Nagercoil or Shencottah I

am glad that the work is being expedited. There are no complaints either regarding the working of this department. No preferential treatment is given to any locality. In the matter of giving contracts too no irregularity takes place. The matter is being attended to with all expedition and with all expert skill of which the public of Travancore are really very proud. With these words I support the demand.

Mr. N. V. Chacko: Sir, the taluk of Parur is one of the most crowded places in Travancore. But unfortunately, most of that area is not having good drinking water supply. Though there is plenty of water available in Parur all that is dangerous water. At the same time there is the Alwaye river flowing through the Parur taluk in several branches. It is a pity that, in spite of such advantages, Parur is not supplied with good drinking water. The Government should avail themselves of the convenience offered by the river and supply the people of Parur with good water. Alwaye water is taken to Cochin and Ernakulam, I do not envy them. But I wonder why the people of Parur also should not be supplied with that water. I am speaking with special reference to Vadakkekara pakuthi were people are punished with bad water. It is a very rich and thickly-peopled part of Parur. I may also say that the supply of good water from the Alwaye river will not cost Government much comparatively only a small amount of money will be required to supply the people of Parur, especially of Vadakkakara with good drinking water. The water from the Alwaye river even without filteration will be very much superior to the water now available in most parts of the Parur taluk. I request Government to consider this matter and supply the people of Parur with good drinking water.

With regard to other taluks, Muvattupuzha and Kunnatnad God has blessed them with good water and salubrious air. Their complaint is only about the scarcity of water.

Mr. Nedumangad R. Kesavan Nair: I support the demand. I join with my honourable friend Mr. Balakrishnan Tampi in the views that he has given expression to regarding the afficient work done by the department. I would add that we are very fortunate in the choice of sites by Mr. Balakrishna Rao for the construction of bore wells which bring a good deal of gain to the Government. I would only say that the Drainage, the Water Works and the P. W. Departments may work in co-ordination with regard to at least certain matters which would facilitate the avoiding of these inconveniences. Some sort of scrutiny must be exercised in the misuse of pipes by the public as inconvenience may be created by irresponsible people who abuse these privileges by recklessly using the pipes and occasioning inconvenience to the public.

Vastuvidyakusala C. Balakrishna Rao: The honourable member, Mr. Ananthasiva Aiyar, drew attention of the House to the fact that there was a provision of Rs. 35,000 in the budget for 1113 and that there was no provision in the budget for 1114. I may mention that we provided Rs. 35,000 in the budget for 1113 for a boring plant but, because the plant could arrive only after the monsoon, we surrendered a certain amount, and so we have retained a certain amount for this year. As regards the further steps, Government are considering the details of the question and when they are settled, I am sure there will be no difficulty in providing funds for the same. We can also divert some amount if found necessary.

As regards the working of the Water Supply Scheme in Kuttanad, Mr. Ananthasiva Aiyar suggested the formation of village panchayats. However, that is a matter for another department and the Government.

The honourable member, Mr. Anirudhan, after referring to the water supply in Kuttanad, referred to the supply of water in South Travancore. Regarding the latter, an investigation has been made for the last six months, and it is almost complete. An estimate is nearly ready, and it will be submitted to Government. The scheme is for the provision of about 360 wells in the taluks of Kalkulam and Vilavancode. After Government have considered the financial aspect of the scheme, funds will be provided and the work will be taken up. In this connection, for certain villages such as Muttam and Eraniel and Karingal market, the department has in view small pumping schemes.

Mr. K. R. Elankath: May I know the approximate amount required for that scheme?

Vastuvidyakusala C. Balakrishna Rao: I cannot give the member the correct figures. A sum of about Rs. 1½ lakhs may be required for 360 wells.

Mr. K. R. Elankath: May I know when that scheme will come into effect?

Vastuvidyakusala C. Balakrishna Rao: As I said, the estimate has to go to Government and after Government have considered the question and issued their final orders, funds will have to be provided, and thereafter execution of work will be begun.

The honourable member, Mr. Balakrishnan Tampi, spoke about the water supply to the pilgrims going to Sabarimala for Makaravilakku. This question has been engaging the attention of Government, and I hope Government will be in a position to do something in the matter very soon.

As regards water supply in coastal villages in Karthigapally and Karunagapally taluks, once we get our boring equipment and the urgent borings are done, it will be quite possible to carry on the work of constructing the wells along the coast. Already, the P. W. Department has provided 3 wells. This scheme will be continued.

The honourable member, Mr. N. V. Chacko, referred to the difficulty of getting good drinking water in the taluk of Parur and particularly in Vadakkekara. Though there is at present no scheme for the supply of water to the Parur Taluk before the Department, due consideration will be given to this question also, when it comes up before the Department.

The honourable member, Mr. Kesavan Nair, spoke about the co-ordination of the P. W. and the water Works Departments and the troubles caused by digging trenches along the roads. As the House well knows, the Trivandrum Water Supply Scheme was started much earlier than the Drainage Scheme, and naturally the trenches for the Water Supply had to be done earlier, We have now to make small trenches for laying house connection pipes. These cannot in the nature of things synchronise with the trenching for laying the sewers. However, care will be taken to see that the least inconvenience is caused. The Water Supply mains and the sewers are not on the same lines. However in anticipation of the large benefit that the town is going to derive, I think these small inconveniences have to be put up with. However, care will be taken to limit the inconvenience to the minimum.

He also referred to the misuse of street taps. It is likely to go on everywhere in the world. We have a few linemen and turncocks to go round to detcet misuse. But it is not possible to keep a watcher for every tap. That is beyond the question. As soon as a man is caught who misuses the tap, he is reported to the Municipality and dealt with by them under the Municipal bye-laws.

The motion was put to vote and carried.

The grant was made.

DEMAND VII—EXCISE DEPARTMENT.

Mr. M. K. Nilakanta Aiyar: Sir, I rise to move for a grant not exceeding Rs 7,18,104 under Demand No. VII—Excise Department.

Mr. Kallur Narayana Pillai: സർ, എക്സൈസ് ഡിപ്പാർട്ടു മെൻറുഭരണം ഇപ്പോഴത്തെ കമ്മീഷണർ ഏറെറടുത്തതോടുകൂടി ആ ഡി പ്പാർട്ടുമെൻറിൽ കൂടുതൽ ആദായം ലഭിക്കുന്നുണ്ടെന്നു കാണുന്നതിൽ

[Mr. Kallur Narayana Pillai.]

വളരെ സന്തോഷിക്കേണ്ടിയിരിക്കുന്നു. ആദായവർദ്ധനവു ഉണ്ടാകത്തക്കവിധം വേണ്ട പ്രവൃത്തിപദ്ധതികൾ രൂപീകരിക്കുന്നതിൽ നല്ലവണ്ണം പരിശീലിച്ചിട്ടുള്ള ഒരാളായതുകൊണ്ടു അദ്ദേഹത്തിന്റെ ഭരണത്തിൽ ഈ അനുഭവം പ്രതീക്ഷിച്ചിരുന്നതുതന്നെയാണ്. കഴിഞ്ഞകൊല്ലത്തെ അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടനുസരിച്ചും അദ്ദേഹത്തെ അഭിനന്ദിക്കേണ്ടിയിരിക്കുന്നു.

ഇനി, ഏതാനും ചില നിർദ്ദേശങ്ങൾ കമ്മീഷണരുടേയും ഗവർമെന്റിന്റേയും ശ്രദ്ധയിൽ കൊണ്ടുവരണമെന്ന് ഞാൻ വിചാരിക്കുന്നു. മദ്യവില്പനയുടെ വർദ്ധനവു ഒന്നു കുറയ്ക്കണമെന്നുള്ളതാണ്. ഗവർമെന്റു അംഗീകരിച്ചിരിക്കുന്ന നയം എന്ന്, ഗവർമെന്റു കൂടക്കൂടെ പറയാറുണ്ടെങ്കിലും പ്രായോഗികമായി അതു എത്രത്തോളം ഫലത്തിൽകൊണ്ടുവരാൻ ഗവർമെന്റിനു കഴിഞ്ഞിട്ടുണ്ടെന്നു ആലോചിച്ചുനോക്കേണ്ടതാണു. ഈ കൊല്ലത്തെ അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടുകൊണ്ടു കാണുന്നതു്, ഇപ്പോഴത്തെ സാമ്പത്തികനില വളരെ അഭിവൃദ്ധികരമായിരിക്കുന്നു എന്നാണ്. ൧൧൧൧-ൽ ഇവിടെ ൩൭൦൨൩ ഗ്യാലൻ കരുപ്പട്ടിച്ചാരായം ചെലവായപ്പോൾ ൧൧൧൨-ൽ ചെലവായതു ൪൩൦൨൪ ഗ്യാലനാകുന്നു. ഏകദേശം ൧൦൦൦൦ ഗ്യാലൻ ചാരായം കൂടുതലായി ൧൧൧൨-ൽ ഇവിടെ ചെലവുവന്നിട്ടുണ്ടെന്നു ഈ കണക്കുകൊണ്ടു കാണാൻ കഴിയും. ഇതു്, ഒന്നുകിൽ ജനങ്ങളുടെ സാമ്പത്തികക്ഷയത്തിനു ഒരു മാററം വന്നിട്ടു ആയിരിക്കണം; അല്ലെങ്കിൽ, സാമ്പത്തികക്ഷയം അനുഭവിച്ചുവരുന്ന കർഷകന്മാർ മുതലായ ആളുകൾ അല്ലായിരിക്കണം ഇതു അധികമായി ചെലവാക്കിവരുന്നതു്. കൂടാതെ ൧൧൧൨-ൽ ൩൬൧൧ ഗ്യാലൻ ഫാറിൻ ലിക്കർ ചെലവായിട്ടുണ്ടെന്നും കാണുന്നു. ഇതിനുള്ള ലൈസൻസ് പട്ടണങ്ങളിൽ മാത്രം കൊടുത്തിട്ടുള്ളതുകൊണ്ടു ഇതു മിക്കവാറും കർഷകന്മാരല്ല ചെലവാക്കിയിരിക്കുന്നതെന്നു കാണാം. ഏതായാലും ശരീരത്തിനും തലച്ചോറിനും വളരെ ഹാനിയുണ്ടാക്കിത്തീർക്കുന്ന ഈ മദ്യപാനം കഴിവുള്ളിടത്തോളം ജനങ്ങളിൽനിന്നും ഒഴിക്കുന്നതിനു പര്യാപ്തമായ ഒരു നയം ഗവർമെന്റു സ്വീകരിച്ചു നടപ്പിൽ വരുത്തണമെന്നുള്ള സംഗതിയാണ് എനിക്കു ആദ്യമായി ഗവർമെന്റിനെ അറിയിക്കാനുള്ളതു. ഇതിലേക്കു ലോക്കൽ ആപ്ഷൻ അനുസരിച്ചു ചങ്ങനാശേരിയിൽ ആദ്യമായി പരിശോധിച്ചുനോക്കി. അവിടെ അതു വിജയപ്രദമല്ലെന്നു കണ്ടു. ഇപ്പോൾ അതു ആററിങ്ങൽ മുൻസിപ്പൽ ടൗണിലേയ്ക്കു മാററി പ്രയോഗിച്ചിരിക്കുകയാ

ണ്. അതിലേക്ക ഒരു പെററിആഫീസ്സരേയും നാലു പ്യൂൺസിനേയും അവിടെ നിയമിച്ചിട്ടുമുണ്ട്. എനിക്ക ഈ ലോക്കൽ ആപ്ഷനിൽ വലിയ വിശ്വാസമില്ല. ചങ്ങനാശേരിയിൽ ഇതു പ്രയോഗിച്ചുനോക്കിയ അവസരത്തിൽ മദ്യപാനത്തിൽ ആസക്തിയുള്ള ആളുകൾ ആ അതിർത്തിവിട്ട അന്യസ്ഥലങ്ങളിൽപോയി അവരുടെ ആഗ്രഹനിവൃത്തി വരുത്തിയിട്ടുള്ളതായി കേട്ടിട്ടുണ്ട്. ആററിങ്ങലും ഇതേ അനുഭവം തന്നെ ഉണ്ടാകുമെന്നു ഞാൻ വിചാരിക്കുന്നു. അതിനാൽ അവിടെ നിന്നും ലോക്കൽ ആപ്ഷൻ എടുത്തുകളയുന്നതാണ് ഭേദമെന്നു എനിക്ക തോന്നുന്നു. മററു ഏതെങ്കിലും പദ്ധതികൾ പ്രയോഗിച്ചു ഈ മദ്യവില്പനയെ നിയന്ത്രിക്കുകയാണു വേണ്ടതു്. ഒരു ഉപായം എനിക്ക തോന്നുന്നതു ഇപ്പോഴത്തെ വിലയേക്കാൾ അല്പംകൂടി കൂട്ടി മദ്യവില്പന നടത്തുന്നമെന്നുള്ളതാണ്. ഒരു ഗ്യാലനൊ അല്ലെങ്കിൽ ഡ്രാമിനോ ഇപ്പോൾ ഉള്ള വിലയിൽനിന്നും ഒരു നിശ്ചിതശതമാനം കൂടുതൽ വിലവച്ചേ വിൽക്കുവാൻ പാടുള്ളു എന്നു വ്യവസ്ഥചെയ്യണം. അതു ചെയ്താൽ ജനങ്ങൾ കഴിയുന്നിടത്തോളം ഇതിൻെറ ഉപയോഗം കുറക്കുവാൻനോക്കും ഗവൺമെൻറിനു കൂടുതൽ ആദായവും കിട്ടും. എന്നാൽ മദ്യം ഇതു കൂടുതൽ ചെലവുവരാൻ ഉള്ള കാരണം അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടിൽനിന്നു കാണുന്നതു കൂടുതൽ ശക്തിയുള്ള വ്യാജച്ചാരായത്തോടൊപ്പം കരുപ്പട്ടിച്ചാരായത്തിൻെറ ശക്തി ഒന്നു വർദ്ധിപ്പിച്ചതുകൊണ്ട് വ്യാജച്ചാരായം ഉപയോഗിക്കുന്നതിന് ആളുകൾക്കു താല്പര്യമില്ലാതെ തീർന്നുപോയതാകുന്നു എന്നാണ്. ഇതു ശരിയാകണമെങ്കിൽ വ്യാജച്ചാരായം ഉണ്ടാകാതെ ഇരിക്കണം. എന്നാൽ ആ റിപ്പോർട്ടിൽതന്നെ ൧൧൧൨-ൽ വ്യാജച്ചാരായം ഉണ്ടാക്കിയ കേസുകൾ ൧൧൧൧-നെ അപേക്ഷിച്ചു കൂടുതൽ ആണെന്നു കാണുന്നു. അപ്പോൾ കരുപ്പട്ടിച്ചാരായത്തിനു ശക്തി കൂട്ടിയിട്ടും കൂടുതൽ വ്യാജച്ചാരായം ഉണ്ടാക്കിയിരിക്കുന്നു എന്നല്ലേ ഇതിൽനിന്നും മനസ്സിലാക്കേണ്ടതു? ഈ കാര്യത്തിൽ എനിക്കു വേറൊരു സംശയംകൂടിയുണ്ട്. ഓരോ ഡിവിഷനിലുമുള്ള എക്സൈസ് ഇൻസ്പെക്ടരന്മാരും അസിസ്റ്റൻറു കമ്മീഷണർമാരും അവരവരുടെ അതിർത്തികളിൽ കൂടുതൽ വ്യാജങ്ങൾ കണ്ടുപിടിച്ചില്ലെങ്കിൽ അവർക്കു കാര്യക്ഷമതക്കുറവുണ്ടെന്നു പരിഗണിക്കപ്പെടുന്നതായ ഒരു നയമാണ് ഇന്ന് ഡിപ്പാർട്ടുമെൻറിലുള്ളതു്. ഈ സംഗതി, ഇത്തരം വ്യാജക്കേസുകൾ കൂടുതൽ കണ്ടുപിടിച്ച ഒരു അസിസ്റ്റൻറുകമ്മീഷണരെ വള

[Mr. Kallur Narayana Pillai.]

രെ അഭിനന്ദിക്കേണ്ടിയിരിക്കുന്നതായി അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടിൽനിന്നു കാണുന്നതുകൊണ്ടു വ്യക്തമാകുന്നുണ്ടുതാനും. അതുകൊണ്ടു കൂടുതൽ കേസുകൾ തങ്ങൾ കണ്ടുപിടിച്ചു എന്നു കാണിക്കുവാൻവേണ്ടി ഈ ഉദ്യോഗസ്ഥന്മാർ വില്പന നടത്തുന്ന ഷാപ്പുകാരുമായി ഒത്തുചേർന്നുകൊണ്ടു കേസുകൾ ചാർജ്ജുചെയ്യുകയാണു പതിവ്. അതിലെ പ്രതികൾ അങ്ങനെ ചാർജു ചെയ്തുകൊള്ളുവാൻ സമ്മതിക്കുകയും ചെയ്യും. എന്തെങ്കിലും ലഘുവായ ഒരു ശിക്ഷകൊടുത്താൽ മതിയെന്നു ഈ ഉദ്യോഗസ്ഥന്മാർതന്നെ മജിസ്ട്രേട്ടിനോടു ശുപാർശചെയ്യും. അതിനുവേണ്ടിവരുന്ന ചെലവു വേണ്ടിവന്നാൽ അവരുടെ കയ്യിൽനിന്നുതന്നെ ചെലവാക്കിയെന്നും വരാം. ഇങ്ങനെ അനേകം കേസുകൾ ഉണ്ടാകുന്നതായി എനിക്കു നേരിട്ടറിയാം. ആ തരത്തിൽ വ്യാജകേസുകളുടെ എണ്ണം വർദ്ധിച്ചിരിക്കുന്നതല്ലേ, എന്നും സംശയിക്കേണ്ടിയിരിക്കുന്നു. ഈ ഷാപ്പുകാർ എക്സൈസ് കീഴ്സിൽബന്ധികൾക്കായി അനവധി പണം പാഴായി ചെലവാക്കുന്നുണ്ട്. വാസ്തവം പറഞ്ഞാൽ ഈ ഡിപ്പാർട്ടുമെന്റിലെ കീഴ്സിൽബന്ധികൾ വലിയ കൊള്ളയാണു ചെയ്യുന്നതു്. ഓരോ ഷാപ്പുകാരും ശരിയായവിധം നാൾവഴി വച്ചിരുന്നാൽ ഇതു കണ്ടുപിടിക്കാൻ കഴിയുമായിരുന്നു. ഡിപ്പാർട്ടുമെന്റിനു ഒരു ചൈതന്യം വരുത്തണമെന്നു ആഗ്രഹിക്കുന്ന ഇന്നത്തെ കമ്മീഷണരുടെ ശ്രദ്ധ ഈ വിഷയത്തിൽ പതിയേണ്ടതാണ്.

ഇപ്പോൾ ചില വിദ്യാലയങ്ങളുടെ മുൻപിൽ കള്ളുഷാപ്പുകളും ചാരായഷാപ്പുകളും സ്ഥാപിച്ചിരിക്കുന്നതായി കാണാം. അതു ശരിയല്ല. കുട്ടികൾ പള്ളിക്കൂടത്തിൽനിന്നും വരുമ്പോൾ കള്ളുംകുടിച്ചു ചീത്തകളും പറഞ്ഞു, അക്രമങ്ങളും കാണിച്ചുകൊണ്ടു നടക്കുന്ന ഒരു കൂട്ടം ആളുകളെ കാണുവാൻ ഇടവരുന്നതു അവരുടെ സ്വഭാവത്തെക്കൂടി മലിനപ്പെടുത്തുന്ന ഒരു സംഗതിയായിരിക്കും. അതിനാൽ ഓരോ സ്കൂളിൽനിന്നും കുറഞ്ഞതു രണ്ടു ഫർലാംഗ് അകലെയെങ്കിലും മാറ്റി മദ്യഷാപ്പുകൾ സ്ഥാപിക്കണമെന്നാണ് അവസാനമായി എനിക്കു പറയുവാനുള്ളതു്.

Mr. K. R. Elankath: Sir, I avail of this opportunity to pass a few criticisms on the policy of this Excise Department. The Excise Department has stated as their policy to see that the availability of liquor is made as far as possible increasingly difficult. But what we find as a result of their labours is that even the number of trees that are tapped, and the amount of receipts that they get

in various branches of the department, are in no way on the decrease. The policy that is supposed to have been adopted by them is not well kept to the mark. The revenue got from the department is, of course, very considerable. And the Government could not easily afford to lose it. But I would suggest that by gradual steps this reduction that is made in the Revenue of the Excise Department by keeping up to their declared policy may be made up from other sources and gradually the receipts from abkari may be completely annihilated. In so doing Government may be saving a great lot in other directions and the people may be more happy. I believe, Sir, that the people who are addicted to drunkenness are mainly responsible for many criminal actions in the country. And our criminals could be decreased in numbers and thereby we could curtail considerably the police staff and thus make a saving. Sir, there is also another advantage to the poor man if this drink evil is completely swept away from the country. A poor familyman who gets 7 chs. in a day by way of wages, if he is addicted to this evil becomes tempted to enter a shop on his way home from his place of work. There he spends 4 or 5 chuckrams and goes home fully drunk, with the remaining 2 or 3 chuckrams. Sir, I am at a loss to see how that family can pull on for a day with this 2 or 3 chuckrams. And, moreover in addition to acute poverty the family is subjected to tyranny of a drunken father or husband as the case may be. There is no doubt of the fact that the Government are responsible for making thousands of families unhappy in this way in the State. Sir, I know an instance where a veritable drunkard has been converted to a sober and happy man by depriving him of the facilities to get drunk. He was a regular toddy drinker. When he was transferred to Devicolam taluk where he could get only arrack and no toddy he did not drink at all. As a result of this he turned out to be a very sober man and is the head of a very happy family. Therefore Government should make it absolutely impossible for people to get toddy or arrack.

Coming to the question of contracts I wish to make a few observations. It is a very relieving feature to see that there has been a good increase by way of receipts on account of auctions. Even in this case, I would remind the Department of one fact, that is, if a shop is leased out and the auction has been confirmed and agreed upon, the Government should make it their policy never to make a reduction from the auction amount. The reason for this is that Government anticipate their income on the anticipated revenue that is expected of the Department, and considering that estimate they make provision for their expenditures. And when the year closes we find many instances of auction amounts being reduced or

[Mr. K. R. Elankath.]

account of special reasons. It would only be a help to Government in adjusting the expenditure as far as possible very near to the revenue and at the same time be a deterrant to the recklessness of the contractors.

Now, Sir, I would also refer to the fact that Government and the Department should be very careful in selecting the sites of the shops. As mentioned by my honourable friend Mr. Kalloor Narayana Pillai, it is not uncommon to find arrack and toddy shops in front of Government institutions, schools and other public institutions, such as markets, etc. Taking the case of the Monday Market and the Karinkal Market we find that there are attractive toddy shops or arrack shops very near these markets. It is very common to see the agriculturists enter these shops after they have disposed of their goods to drink toddy or arrack. The temptation becomes irresistible to them as they have got money in their hands. Therefore, it is my view that these shops should be removed to distant places scarcely inhabited by people. Then the people will not take the trouble to go to distant places to get toddy or arrack. At the same time the rowdyism of the drunkards will not in any way affect the general public. They may frolic in the wildernesses and no body would complain. But, of course, this may affect the revenue of the State. Sir, in any case, there must be a steady change of policy in favour of prohibition.

Sir, now I come to the question of salt. The Travancoreans should be made as far as possible to have a liking for the Travancore salt. Now the people are found to like more the salts annually imported from Tinnevelly and Bombay. Therefore, every step should be taken for improving the Travancore salt. Sir, if our so-called experts are really experts why not they find out some means to purify our salt so that the public may depend upon it to the advantage of the consumers and the lessees.

Mr. T. K. Kittan: (*Vaikam, Kottayam and Changanacherry cum Peermade*): ൧൧൧൪-ലേക്കു എക്സൈസ ഡിപ്പാർട്ടുമെൻറു നടത്തുന്നതിനായി ഏഴുലക്ഷത്തിൽ ചില്വാനം രൂപാ ആവശ്യപ്പെട്ടിരിക്കുന്നതു അനുവദിക്കേണ്ടതാണെന്നു ഞാനും അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു. ആണ്ടവസാനത്തിനു മുൻപു കൂടുതൽ ചെലവു ആവശ്യപ്പെട്ടാൽ അതും കൊടുക്കേണ്ടതാണ്. എനിക്കു മുൻപു സംസാരിച്ച രണ്ടു മാന്യന്മാർ പറഞ്ഞതു കള്ളു കച്ചവടവും ചാരായക്കച്ചവടവും നിറുത്തണമെന്നാണ്. പക്ഷെ, രണ്ടുവർഷത്തേക്കു അതു സാധിക്കുകയില്ല. ൧൧൧൪-൧൧൧൫-ലേക്കു ഷാപ്പുകൾ ലേലംവിളിച്ചു, ഉടമ്പടി വയ്ക്കുകയും ചെ

യ്യു. ഇനി അതു നിറുത്തിക്കളഞ്ഞാൽ ഉടമ്പടിക്കാൎക്കു നഷ്ടം, ഗവ ണ്മെൻറിനു നഷ്ടം. ഇവകൂടാതെ മററുപല കുഴപ്പങ്ങളും ഉണ്ടാകും. അതുകൊണ്ട് ആ കാലാവധിക്കു മുമ്പു കള്ളും ചാരായവും കച്ചവടം നിറുത്താൻ പാടുള്ളതല്ല. മദ്യവർജനപ്രസ്ഥാനം ആദ്യമായി സ്ഥാപി ച്ചതു് ഈഴവരാലാണു്. അതിനുവേക്ക് ശ്രീനാരായണപരമഹംസരുടെ ഒരു സന്ദേശവും ലഭിച്ചിട്ടുണ്ട്. "മദ്യം വിഷമാണ്, അതുണ്ടാക്കരുതു്, കൊടുക്കരുതു്, കുടിക്കരുതു്," ഇതാണ് ആ സന്ദേശം ഇതു് ഞങ്ങൾ പറഞ്ഞുകൊണ്ടുനടന്നതിനു ഞങ്ങൾക്കുണ്ടായിട്ടുള്ള അനുഭവം എന്താ ണെന്നു് അറിയുവാൻ അന്നത്തെ ഗവർമ്മെൻറു് റിക്കാർഡ് നോക്കിയാ ൽമാത്രം മതിയാകും. ഞങ്ങളിൽ പലരേയും ജയിലിൽ ഇട്ടു. ഈ കു ഴപ്പങ്ങളെല്ലാം ഉണ്ടായതു കണ്ടപ്പോൾ കുടിക്കാനാളുകൾ ഉണ്ടെങ്കിൽ വിറേറക്കാമെന്നു് ഞങ്ങളും നിശ്ചയിച്ചു. പുകയില, കറുപ്പ്, കഞ്ചാവ്, കള്ള്, ചാരായം,—ചാരായംതന്നെ രണ്ടുതരം, കള്ളവാററിയ ചാരായം പട്ടച്ചാരായം—പിന്നെ ശീമയിൽനിന്നും വരുന്ന യൂറോപ്യൻ ചാരായം —ഇവയെല്ലാമാണു് ഇവിടത്തെ വിഷസാധനങ്ങൾ. പരമാർത്ഥം പ റഞ്ഞാൽ ഗവർമ്മെൻറിനാകട്ടെ ഇതു വില്ക്കുന്ന ജനങ്ങൾക്കാകട്ടെ ഈ സാധനങ്ങളെല്ലാം വിററു് വിലയാക്കണമെന്നും ലാഭം ഉണ്ടാക്കണമെന്നും വലിയ നിർബ്ബന്ധം ഒന്നുമില്ല. ജനങ്ങളോടു് ഇതു് കുടിക്കണ്ട തിന്നണ്ട എന്നു പറഞ്ഞാൽ കേൾക്കുകയില്ല. അവർ കുടിക്കുന്ന കാലത്തോളം ഇതിനു നല്ല നികുതി വയ്ക്കണമെന്നുതന്നെയാണു് എൻെറയും അഭിപ്രാ യം. പത്തുതുടം കൊള്ളുന്ന ഒരു കുപ്പി ബ്രാൻറിക്കു് എട്ടു രൂപാ വില കൊടുത്തു് വാങ്ങി കുടിക്കാൻ ആളുകൾ തയ്യാറുള്ളപ്പോൾ അതിനുവേ ണ്ടി ഒരു രൂപാ നമുക്കു് (ഗവർമ്മണ്ടിനു) തരട്ടെ, എന്നു വിചാരിക്കുന്ന തിൽ ഒരു തെററുമില്ല. കഴിഞ്ഞ ആണ്ടത്തെ ധനകാര്യദർശിയുടെ ബ ഡ്ജററു് പ്രസംഗത്തിൽ, എക്സൈസ് ഡിപ്പാർട്ടുമെൻറിലെ തീരുവചര ക്കുകളെല്ലാം വ്യാജമായി കച്ചവടം ചെയ്യുന്നുവെന്നും അതു തടയപ്പെടു കയാണെങ്കിൽ ഏകദേശം എട്ടുപത്തു് ലക്ഷം രൂപാ ഗവണ്മെൻറിലേ ക്കു് ആദായം ഉണ്ടാകുമെന്നും ഇതിനുവേണ്ടി ഒരുലക്ഷം രൂപാമാത്രം ചി ലവാക്കിയാൽ മതിയെന്നും പ്രസ്താവിക്കുകയുണ്ടായി. അതു വിശ്വസി ച്ചു് ആ ഒരുലക്ഷം രൂപാ അനുവദിക്കുകയും ചെയ്തു. ഇതുകൊണ്ടു് എട്ടു പത്തുലക്ഷം രൂപയുടെ ലാഭം ഗവണ്മെൻറിനു് ഉണ്ടാകുമെന്നും വിചാരി ച്ചു. എന്നാൽ ഈ ആണ്ടത്തെ കണക്കു വന്നപ്പോൾ ചിലവുമാത്രമല്ലാ തെ ലാഭം ഒന്നുമില്ല. ഈ രീതി അത്ര ശരിയല്ല. ഇതു് ദേവക വ്യം

[Mr. T. K. Kittan]

മോഹിപ്പിക്കൽ, പണമനുവദിക്കാൻ വേണ്ടിയുള്ള കളിപ്പിക്കൽ ആണ്. ഈ മാതിരി നയം വലിയ സ്ഥാനങ്ങളിൽനിന്നും ഉണ്ടാകുന്നതു് ശരിയല്ലെന്നാണ് എനിക്കു തോന്നുന്നതു്. ഒരുലക്ഷം രൂപാ കൂടുതൽ അനുവദിച്ചതു് അതിർത്തിപ്രദേശങ്ങളിൽകൂടി വരുന്ന കള്ളന്മാരെ നിരോധിക്കുന്നതിനുവേണ്ടി കാവൽ നിറുത്തുന്നതിനാണല്ലോ.

അന്നേ ഞാൻ പറഞ്ഞു ഈ കാവൽക്കാരെക്കൊണ്ടു് ഇതിനു സാധിക്കുകയില്ലെന്നു്. കള്ളന്മാർ അൻപതുരൂപയുടെ ചരക്കും കൊണ്ടുവരും. ഈ കാവൽക്കാർ ആദ്യം കുറെയൊക്കെ തടുത്തുനോക്കും. ഇങ്ങനെ പല പ്രാവശ്യം കാണുമ്പോൾ രണ്ടുകൂട്ടരും തമ്മിൽ സ്നേഹമാകും. നമുക്കു് രൂപാ ഒരുലക്ഷം പോയി. അതുകൊണ്ടു് സ്ഥിരമായ എന്തെങ്കിലും പ്രതിബന്ധം ഉണ്ടാക്കിയാൽ മാത്രമെ ഈ വ്യാജത്തെ തടുക്കുവാൻ സാധിക്കുകയുള്ളൂ. കള്ളന്മാർ നമ്മുടെ രാജ്യത്തു് കടക്കാതിരിക്കത്തക്ക വിധത്തിൽ അതിർത്തിസ്ഥലത്തു് കിടങ്ങുകൾ കുഴിക്കണം.

Mr. K. R. Elankath: കിടങ്ങിനു് എത്രമാത്രം ആഴം ഉണ്ടായിരിക്കണം?

Mr. T. K. Kittan: അതു പാതാളം വരെയായാലും വേണ്ടുകില്ല. പിന്നീടു് ആളുകൾക്കു് കയറി ഇറങ്ങാൻ പാടില്ലാത്ത വിധത്തിൽ ഉയർന്ന കൽഭിത്തികൾ കെട്ടണം. ഇങ്ങനെയെന്തെങ്കിലും ചെയ്യാതെ എല്ലാ സ്ഥലത്തും കാവൽക്കാരെ നിറുത്തി വ്യാജം തടയാൻ സാധിക്കുകയില്ല.

Mr. K. R. Elankath: എല്ലാ സ്ഥലത്തും കോട്ട കെട്ടാൻ എന്തു ചിലവാകുമെന്നറിയാമോ?

Mr. T. K. Kittan: എന്തു ചിലവായാലും വേണ്ടുകില്ല. ഈ ഉപദ്രവം തീർന്നുകിട്ടുമെങ്കിൽ ചിലവിന്റെ കൂടുതലിനെപ്പററി നോക്കേണ്ട ആവശ്യമില്ല. അതിർത്തിപ്രദേശങ്ങളിൽ വലിയ കിണറുകൾ ഉണ്ടാക്കിയും, ഇല്ലിക്കോട്ടയുണ്ടാക്കിയും, മുള്ളുവേലിയുണ്ടാക്കി അതിൽ ഇലക്ട്രിസിററി കടത്തിയും മററുമുള്ള പ്രവൃത്തികൾ ചെയ്താൽ കള്ളന്മാർ ഈ പ്രദേശത്തേക്കു വരുകയില്ല. നമുക്കു കിട്ടേണ്ട തീരുവ കിട്ടുകയും ചെയ്യും.

മദ്യവർജ്ജനം ഒരു കാലത്തു് ഇവിടെയും നടക്കുമെന്നു തോന്നുന്നുണ്ടു്. മദ്രാസിൽ അതിപ്പോൾ നടക്കുന്നുണ്ടു്. മദ്യത്തെ അശേഷം വർജ്ജിക്കണമെന്നുള്ള തത്വമനുസരിച്ചു് മദ്രാസിലെ ചില സ്ഥലങ്ങളിൽ

പരിശോധിച്ചുനോക്കുകയും അതു വിജയകരമായി വരുന്നുണ്ടെന്ന് റിപ്പോർട്ടുകൾ കാണുകയും ചെയ്യുന്നുണ്ട്. നമ്മുടെ പ്രദേശം അതിന്നു[illegible]ായതുകൊണ്ട് ഇവിടെയും മദ്യവർജ്ജനം നടപ്പാക്കാം. കഴിഞ്ഞ ആണ്ടിൽ ഞങ്ങൾ പട്ടിലും മൽമലിലും പൊതിഞ്ഞാണ് ഇവിടെ വന്നിരുന്നത്. എന്നിട്ടും ആ സംഗതി ആരും പ്രത്യേകം ഗൗനിച്ചിട്ടില്ല. ഇന്നത്തെ പരിതസ്ഥിതിയിൽ ഇങ്ങനെയുള്ള പരുപരുത്ത വേഷപ്പകർച്ചക്ക് ഞങ്ങൾ വിധേയരായതിൽ ഞങ്ങൾക്ക് അഭിമാനമുണ്ട്. ഞങ്ങളുടെ തൊപ്പിക്ക് ൨ ചക്രമേ വിലയുള്ളു എന്ന് മി. ജോസഫ്കുഞ്ഞു പറഞ്ഞു. ഏഴു ചക്രം രണ്ടുകാശു കൊടുത്ത് വാങ്ങിച്ച ബിൽ എന്റെ കയ്യിൽ ഉണ്ട്. ആ സ്ഥിതിക്ക് രണ്ടു ചക്രമേ വിലയുള്ളുവെന്ന് മി. ജോസഫ്കുഞ്ഞു പറഞ്ഞതു വളരെ ആക്ഷേപമായിപ്പോയി. വില കുറച്ചുപറയുന്നതു ഒരിക്കലും ശരിയല്ല. ഉദാഹരണമായി ഒരു ലക്ഷം രൂപാ അനുവദിച്ചുകൊടുത്താൽ പത്തുലക്ഷം രൂപാ ലാഭം കാണിയ്ക്കാമെന്നാണ് പറഞ്ഞിട്ടുള്ളതു. അതും തൊപ്പിയുടെ വില കുറച്ചു പറഞ്ഞതും ഒരുപോലെ വില കേട്ടതന്നേയാണ്.

തിരുവിതാംകൂർ ഒരു കൃഷിരാജ്യമാണെന്നാണ് പറയുന്നത്. നെൽക്കൃഷിയും തെങ്ങുകൃഷിയുമാണ് ഇവിടത്തെ പ്രധാന കൃഷികൾ. മറ്റുള്ള ചെറുതരം കൃഷികളെ ആരും കാര്യമായി ഗണിക്കുന്നില്ല. ഇപ്പോൾ തെങ്ങിൽനിന്ന് കിട്ടുന്ന സകല വരുമാനങ്ങളും അവസാനിച്ചു കഴിഞ്ഞു. തേങ്ങക്കു വിലയില്ല, കയറിനു വിലയില്ല, ഒന്നിനും വിലയില്ല. പിന്നെ വിലയുണ്ടെങ്കിൽ കള്ളിനുമാത്രമേയുള്ളു. അതു നിരുത്താനും പോകുന്നു എന്നു കേൾക്കുന്നു. എന്നാൽ ഇന്നത്തെ ലഹരികള്ള് ഉണ്ടാക്കുന്ന രീതിയെ നിറുത്തി മധുരക്കള്ള് ഉണ്ടാക്കുന്നതിന് അനുവദിക്കുകയാണെങ്കിൽ അതിൽനിന്നും വലിയ ആദായം ലഭിക്കുന്നതാണ്. മധുരക്കള്ളിൽനിന്നും പാനി, ശക്കര, പഞ്ചസാര, കൽക്കണ്ടു എന്നിങ്ങനെയുള്ള ധാരാളം സാധനങ്ങൾ ഉണ്ടാക്കാം. വിശേഷിച്ചും ഇപ്പോൾ ഇവിടെ യൂനിവേഴ്സിററി വന്നിരിക്കുന്നതുകൊണ്ടും അതിൽ ധാരാളം വിദഗ്ദ്ധന്മാർ ഉണ്ടായിരിക്കുമെന്നുള്ളതുകൊണ്ടും തെങ്ങിൽനിന്നും തേങ്ങയിൽനിന്നും പല സാധനങ്ങളും ഉണ്ടാക്കാവുന്നതാണ്. ചാക്ക്, ഉറ, ജാം, മുതലായ സാധനങ്ങളും ഉണ്ടാക്കാം. മധുരക്കള്ളിൽ വിററാമിൻ എന്നു പറയുന്ന പോഷകസാധനം ധാരാളം ഉണ്ടെന്നു വിദഗ്ദ്ധന്മാർ പറയുന്നുണ്ട്. അതുകൊണ്ടു നാളികേരവൃക്ഷത്തിൽനിന്നും പല സാധനങ്ങളും ഉണ്ടാക്കുന്നതിനു വേണ്ട വ്യവസ്ഥകൾ ചെയ്യണം. അങ്ങനെയു

[Mr. T. K. Kittan.]

ഉള്ള വ്യവസ്ഥകൾക്കും മററുമായി ഈ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും ആവശ്യപ്പെട്ടിരിക്കുന്ന പണം അനുവദിക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

Mr. James Fletcher : Sir, Akbari revenue in the Excise Department is obtained from two sources, in North Travancore from toddy obtained from cocoanut trees and in South Travancore from toddy obtained from Palmyra trees. In North Travancore, those who prepare toddy from cocoanuts and sell it are very well represented in the Excise Department. On the otherhand, those who tap the Palmyra and sell the toddy by taking contract from the Government are very poorly represented in the Department. My request is that those who are taking part in bringing money to the Government by tapping, and by taking contracts for sale of toddy should be given reasonable preference in the Department. In South Travancore it is the Nadars who do the work and a statistics of the Nadars in the Department will show that we do not have any Assistant Excise Commissioner in the Department. Among the Inspectors there are only two men from among the Nadars and the rest are all in the lower ranks, drawing less than forty Rupees. I may point out that there are very capable young officers belonging to the community in the Department and they are not given sufficient encouragement. Sir, in promotion, I am told that their cases are neglected. Men who have been doing honest work and who have been getting very good certificates from their superiors were left out when the re-organisation came. Men from other Departments who were working as experts in tanning, in textile work, in pencil making, have been recruited in the Department and they are in the Department doing very little work I am told, that there are men in the executive side of it who are physically unfit to carry out their executive duties. I may submit that in a Department like the Excise Department it is absolutely essential that men in the executive side should be encouraged wherever they are honest and found capable of carrying out their duties. In this Department persons have to go out and detect cases of illicit tapping and illicit production of toddy and arrack. It is their duty to arrest men who are carrying on the nefarious work of illicit production and sale. For this reason men who were trained in the Department for a number of years should be encouraged. On the other hand, if men from other departments are suddenly brought in, especially when they have no experience and placed above the head of many able men those who are in the Department feel naturally discouraged. The result is that work suffers. Therefore, I request that the Department may take great care so that men who are trained in the department are given reasonable preference.

Secondly, I wish to speak a few words on the large amount of arrears now pending collection in the Department. It is not very desirable that there should be so much of arrears. Every officer concerned should do his duty by collecting all arrears. They should also see that doubtful contractors are not given contracts.

I may also point out another important matter. It is in connection with the salt manufacture. Travancore has succeeded in producing sufficient salt to supply for the whole State. So, what the Department has to do is to make the quality very pure, as pure and as good as available elsewhere. Why should Travancoreans go for foreign salt if good-variety could be produced in Travancore? I would request the Excise Commissioner to find out ways and means of producing good quality in sufficient quantities. I am sure the present Head of the Department who is very capable and efficient would bring about necessary changes in the Department as he has done elsewhere on many other occasions. I am sure he will do full justice to the members who are working in the Department and redress their grievances in this respect,

Mr. M. S. Anirudhan: Sir, I take this opportunity to impress upon the Government the desirability of nationalisation of salt industry. Salt is an article of Government monopoly. It is manufactured by licensees and 60 per cent of the salt manufactured is given to the Government free of payment and forty per cent is taken by the Government from the licensee on payment. Till 1092 the price paid to the licensee for the salt taken by the Government called *Kudivila* was only 7½ chakrams. After 1092, it was raised to 11¾ chuckrams. Again in 1095 it was raised to 12½ chs. and and in 1107 the kudivila was again raised to 17 chs. and 15 cash. These figures would show that the major portion of the income from the salt industry is carried away by a few people standing between the consumer and the Government. Not only that, there has been much complaint about the quality of salt supplied. If private agencies are entrusted with this work they will not take care to improve the quality of the salt. This House need not be told about the benefits of nationalising industries. If there is any industry in Travancore to-day which has to be nationalised, it is salt and salt alone. I therefore want to impress upon the Government to consider this question seriously so that the Government can have a neverfailing source of additional revenue, and the people good salt to eat.

I wish to speak a word about the export duty on cocoanut products. As you are aware, Sir, their prices have gone down so low that unless something is done urgently, the cocoanut cultivator

[Mr. M. S. Anirudhan.]

in Travancore will find himself in a very difficult situation. Immediate action has to be taken to relieve his distress; and I believe that the abolition of export duty on cocoanut products will be a step in that direction. With these words I support the Demand.

Mr. N. V. Chacko: Sir, without making any invidious insinuations against former Excise Commissioners, I would like to congratulate the present Excise Commissioner on the courage of his conviction in deciding a case which went up before him recently. I refer to what I read in the papers about a certain case in which the Excise C. I. D. Officers, with the help of the Reserve Police forcibly entered a certain house, removed pepper kept there and falsely reported against the owner of the house that he was attempting to evade customs duty on pepper. I hear, Sir, that these Excise C. I. D. people and the Reserve Police who help them threaten not only the people but even their own superiors in office saying that the Government are in their pockets. I am glad that the present Excise Commissioner did not find the Government in their pockets but felt it in his own pocket.

Sir, whenever these cases are taken before the Magistracy, somehow or other, the Excise C. I. D. officers and the Police make the Magistrates understand that, unless the prosecution is upheld, the Magistrates would be viewed with disfavour by the Government. In fact, this infection has, in some cases, spread even to the superior Courts through the Government Pleaders. I request the Excise Commissioner not to allow himself to be marred by his subordinates.

There is no doubt that, of all the Departments of Travancore Government, the Excise Department is the most corrupt. Probably they have the greatest chance for corruption. Last year it was stated on behalf of the Government—not in connection with the Excise Department—that any reform in this matter should come from the public first and not from the Government officers. It is not mutual, not even simultaneous. The public are tortured if they refuse to pay bribes. But it was asserted that people who are entitled even to put others to death for their own safety, are not entitled to bribe officers to save themselves from torture. The Government are made to misunderstand things by the C. I. D. and the police by their exaggerated reports. In 1112, when His Highness the Maharaja went on tour outside the State and the Dewan also was not here, it appeared in the Hindu "The situation is under control". What would be the impression created in His Highness and in the Dewan? Sir, that is an exaggeration which surpasses even the magnification by Bose's Magnetic Crescograph. I would therefore request the Excise Commissioner to travel through and through in

these places and get himself acquainted with the people, at least for the sake of the people, and see that he is not misled by the Excise C. I. D. or by the Reserve Police who are worse than andiron of occupation. He should have the courage to do what is right for the reason that right is right in scorn of all the consequences. That is all the more necessary in this Department where everybody except himself is corrupt; and this is as true as the fact that the sun that rose to-day is the sun that set yesterday.

With regard to export duties, it was stated today in an answer to a question, that when the price per cwt. of pepper was Rs. 50 the export duty on it was raised to Rs. 10 per candy. I now find from a calculation, taking into consideration the increase in duty and the fall in price, that the rate of duty has been increased 7 times. I may be corrected if my calculation is wrong. If the value of pepper alone had gone down that would not have mattered so seriously. But the agriculturists are now suffering very miserably on account of the terrible fall in the prices of all their commodities; and now the duty has been in effect increased so much. That I submit, is an unbearable hardship. What I said of pepper applies to ginger, cocoanuts and other products also. And these are products on which the people in rural parts very much rely for their living.

Sir, last year it was stated that the Excise revenue would go up by about Rs. 10 to 20 lakhs if the Government were to be allowed to spend about a lakh of rupees on additional Excise staff and additional Reserve Police. We now find that, in spite of increase of expenditure to the extent of more than a lakh of rupees there has been a net decrease in the revenue. Probably corruption has increased, or there was no smuggling going on at all now.

With regard to salt, I must say that the salt supplied in North Travancore has, for a week or two, a different taste. Difference in taste does not matter very much provided it is not due to any poison. Personally I would not mind if the salt supplied to me is even bitter in taste ; but it should be free from poison. I hope the Commissioner will be pleased to see that the impurity now found in the salt is not poisonous. I request him to save us from the calamity of the whole people being gradually poisoned.

In regard to the people in the Northern Frontier, what they are now asking for is the safety and protection of their life and property. The whole region is unsafe. I would particularly request the Government to see that, if the people of these localities are not relieved of their poverty, at least they are assured of the safety of their lives and property. What is the use of increase in Excise revenue or the income of the State if life and property of

[Mr. N. V. Chacko.]

the citizens are not safe from the Excise and Police men. "What does it profit a man to gain the whole world and lose his soul"? What does it profit Travancore to increase her material resources if people cannot enjoy peace and security.

Mr. G. Narayana Aiyar: I support the Demand. I have a general complaint to make about the departmental reports now supplied to us. Most of them do not contain either an index or a table of contents, so that it has become very very difficult to find out particular information wanted and to make references. These reports circulate outside the State also and will carry a very bad impression of our administrative capacity. Table of contents and index are indispensable parts of a book form publication. I hope this defect will be removed in future publications though the same was pointed out during my speech at the budget discussion last year.

As regards the Excise revenue, morality apart, so long as our expenses are on the increase, Government are bound to realise as much as could be realised from this source of revenue which is an important source of revenue. There is no use preaching morality in this matter.

As regards salt, in the administration report of the Industries Department for the year 1112 at page 11 we find the following statement:—

> "During the year 46 samples of salts scraped from different Alloms in the seasonal harvests were analysed for the Excise Commissioner and the results reported to him. Most of the samples contained a large percentage of magnesium salts."

It does not say what the results of the analysis reported to the Excise Commissioner were. Anyhow it is clear that the samples were not at all satisfactory. The Report for the year 1111 records the same unsatisfactory state of the manufacture of salts in our Alloms. High percentage of magnesium salts is said to be injurious to health. No attention was even paid in 1112 for the improvement in the manufacture. This is a very regretful state of affairs and serious attention has to be paid to remove this evil. There is no improvement in the quality, supplied this year also. Salt being an article of diet, its purity must be maintained and assured. The people of North Travancore are accustomed to use Bombay salt. They are not able to get it now since Government have discontinued its imports. One should have his own absolute discretion at least in regard to his article of diet. We are now compelled to eat a kind of salt which we do not want. And when you do that, why not supply the best salt? We realise that now the State is producing enough salt and more. I would therefore submit that an expert

should be appointed to see that the best salt is manufactured in the State and the existing defects removed and supplied to the people here and also exported.

As regards tobacco, we import a large quantity of it. In British India too they are now taxing it. Therefore it is not possible for us now to realise as much income from tobacco as we anticipate. Although 5 to 10 lakhs of Rs. was anticipated by prevention of smuggling, in the northern frontier and a big establishment costing nearly a lakh was sanctioned and appointed we have not been able to realise anything substantial not even a portion of the amounts spent. For the next year also we do not anticipate more under tobacco revenue. Therefore the only other source of Abkari revenue is toddy and arrack. With regard to that, I have a few observations to make.

President: The observations have to be really few, as we have only a few minutes more for this Demand. (*Laughter.*)

Mr. G. Narayana Aiyar: It is clear that there is terrible leakage of revenue. I shall give some figures. In 107 the total number of cocoanut trees marked for tapping was 56,307 while the number marked for 1112 is 63,461. Thus there is an increase of 7154 trees tapped. The tree tax realised by the department in 107 was Rs. 3,19,798-23-5 and that realised in 112 was Rs. 3,91,116-25-10. Though there is thus a steady increase in the number of trees tapped and in the trees tax the Abkari revenue under this head has not only increased tax but has declined as could be seen from the fact that current demand for rentals under toddy revenue for the year 107 was Rs. 1,570,813-18-5 but for 112 was only Rs. 10,56,064-16-0. The same is the case with arrack revenue also. There is fall in revenue to the extent of more than Rs. 5 lakhs in toddy alone while the number of trees tapped and tree tax has increased. Sir, when the number of trees tapped increases, naturally the revenue ought to increase proportionately ; but we find that there is not only no increase of revenue but a terrible decrease. It cannot be denied that there is leakage of revenue. The Department should pay sufficient attention to this matter.

So far as cocoanut is concerned, the position of the cultivator has become deplorable. Cocoanut which was selling at Rs. 7½ per 100 is now selling at Rs. 1½ per 100 ; and if you now lease out a cocoanut tree the maximum that you can get as pattom is 12 annas or one rupee per annum per tree. The value of cocoanut gardens is also going down. There is a good deal of unemployment amongst tappers who are large in number I submit that tapping ought to be encouraged and as much toddy as could be extracted ought to be taken and converted and sold profitably.

President : I am afraid the honourable member must conclude.

Mr. G. Narayana Aiyar : The amount which the Government realise as tax for tapping a tree is Rs. 8, and the man who pays the tax must get something more. You may put it at Rs. 3. So, by allowing the tree to be tapped the owner gets Rs. 11 while he gets only annas 8 if he leases out the fruits. This will go to show that it is advantageous to allow the trees to be tapped as far as possible. But it may be asked what are you to do with the toddy? In this connection I may bring to the notice of this House the fact that there is a great demand for cocobrandy. Report shows consumption of cocobrandy is on the increase. Men who know it say that if cocobrandy is properly manufactured on scientific lines and flavoured properly it can very well take the place of imported brandy. It is a thing worth the trial being a local product deserving encouragement. Here there is a great deal of disadvantage. The duty on cocobrandy is very high and the issue price also is kept very high. But the duty on imported liquor is kept very low. This is really very hard. Amend the same and encourage local enterprise.

President : The honourable member will kindly resume his seat. Mr. Nilakanta Aiyar will now speak.

Mr. Nedumangad R. Kesavan Nair : I had already given my name with a view to speak on this demand.

President : I have been trying to ask honourable members to abbreviate their remarks. The Excise Commissioner has only 13 minutes for his reply.

Mr. M. K. Nilakanta Aiyar : I am glad that almost all important aspects of the working of my Department have been dealt with by the honourable members who spoke on this demand. I shall deal with the subjects one by one.

First, I proceed to salt. Mr. Elankath pointed out that salt is being imported from Tinnevelly and Bombay on the score that some people have a liking for the salt from those places. I would refer the honourable member to page 24 of the Administration Report of the Department for 1112 where it is stated—

> "It has been finally decided that from the year 1113, there will be no import of Bombay salt into Travancore so long as our factories yield enough to meet our demand. A small quantity of Tinnevelly salt is permitted to be imported for supply to Shencotta Taluk as well as to the Devicolam Southern Range, as the transport of Home Salt to those places is prohibitively costly".

Even in regard to Shencottah, one of our licensees has applied for transport of salt under bond to Shencotta and the matter is engaging the attention of Government.

Mr. Nedumangad R. Kesavan Nair: May I know from the member whether import of outside salt into the State is not due to the defective quality of the salt produced in the State?

Mr. M. K. Nilakanta Aiyar: It was not due to the fact that our salt was inferior in quality to outside salt. But it was due to the fact that our salt pans did not then yield all the salt required for consumption in the State.

Mr. K. R. Elankath: May I know from the member whether the State has been able to produce all its requirements of salt during the last five years?

Mr. M. K. Nilakanta Aiyar: No, Sir, only during the last two years.

As regards the quality of salt, Messrs. Fletcher, Chacko, Narayana Aiyar and others have referred to it. I have only to say that I am doing my best in the matter. I have already stated elsewhere that the quality of salt depends upon three circumstances, the quality of the brine, the degree at which scraping is done, and the elimination of bitterns. I have been enforcing the rules in regard to scraping and elimination of bitterns. So far as the quality of the brine is concerned, a scheme is now before Government to supply sea-brine to all the factories in South Travancore. That scheme is now being considered by me.

Mr. Nedumangad R. Kesavan Nair: May I know from the member whether the defect in quality of the salt is not due more to the want of scraping at the proper time than the supply of sea-brine?

Mr. M. K. Nilakanta Aiyar: It is partly due to that and I am enforcing the rule in regard to scraping.

Mr. Anirudhan has referred to the nationalisation of the salt industry. I have referred to this subject elsewhere, and I have only to say that this proposition is economically unsound and unworkable.

Mr. Kallur Narayana Pillai has adverted to the desirability of enhancing the price of alcohol. The tree tax in 1082 was Rs. 2. In 1110 it was raised to Rs. 3½ and subsequently it was raised to Rs. 4 and now it is Rs. 4½. This applies to palmyra trees. So far as the coconut trees are concerned, the tax was first raised from Rs. 3 to Rs. 6, then to Rs. 8 and now it is Rs. 8¼.

The policy of the Department in the matter of prohibition has been referred to in detail in the Administration Report of the Department for the year 1112. I would refer honourable members to page 7 of the Report. The Department has been endeavouring to do its best to introduce prohibition by slow degrees. Mr. Kallur Narayana Pillai has pointed out that there are shops near schools,

[Mr. M. K. Nilakanta Aiyar.]

churches etc. There is a provision in the Rules under the Abkari Regulation that no shops should be located within two furlongs of schools and churches. If there is any toddy-shop within two furlongs of any school or church, information may be given to me so that I may issue orders forthwith for its removal.

Mr. Kallur Narayana Pillai: ചെങ്ങന്നൂർ ഇംഗ്ലീഷ് സ്കൂളിനു പടിഞ്ഞാറുവശം ൫൦ ദണ്ഡകലെ ഒരു കള്ളുഷാപ്പുണ്ട്.

Mr. M. K. Nilakanta Aiyar: I shall certainly look into the matter.

Mr. K. R. Elankath: What does the member say in regard to shops near markets?

Mr. M. K. Nilakanta Aiyar: I cannot give any undertaking, Sir, in regard to them.

Mr. K. R. Elankath has been saying that in the matter of rentals procured on auctions, large remissions are frequently allowed. It is not so, Sir. Remissions are very seldom given. Remission is given only when the licensee is not possessed of sufficient means to pay the bid amount. The question of accumulation of arrears has been dealt with at considerable length in Vol. X No. 5 of last year's official report of the Council Proceedings at page 227.

Mr. K. R. Elankath: May I know whether the auction in favour of the highest bidder is accepted or of the most solvent of the bidders?

Mr M. K. Nilakanta Aiyar: Higher bid, solvency and experience in the profession—all these are taken into account.

Mr. K. R. Elankath: How is it possible to realise the amount if the successful bidder is not solvent?

Mr. M. K. Nilakanta Aiyar: Sir, we take from people about whose solvency we cannot be certain, sometimes 4 times, 5 times and even 6 times the kist as security.

As regards collection of arrears, Sir, I may inform the House that adequate progress is being made. They now stand at Rs. 7 lakhs. During 1113 Rs. 25,032 has been collected. Rs. 14,517 has been remitted and in all 130 cases have been closed as against Rs. 1,643. In 237 cases involving Rs. 2,78,531, action under Section 25 of the Revenue Recovery Regulation has been taken. In 36 cases recovery is being effected by accepting instalment payments.

Mr. Nedumangad R. Kesavan Nair: May I know how the Excise Commissioner proposes to realise the residue of Rs. 7 lakhs?

Mr. M. K. Nilakanta Aiyar: It may not be possible to recover the entire amount. Whatever it is possible to recover, will be recovered in the course of the next year.

Mr. K. R. Elankath: May I know what amount will have to be written off?

Mr. M. K. Nilakanta Aiyar: I cannot say.

Mr. T. K. Kittan: കുടിശ്ശിഖ ഉണ്ടെന്നു പറഞ്ഞതു ഏതിനത്തിലാണ്. കള്ളുഷാപ്പിനെ സംബന്ധിച്ചുള്ള കുടിശ്ശിഖയാണോ?

Mr. M. K. Nilakanta Aiyar: കള്ളുഷാപ്പു ലേലം ചെയ്തശേഷം ലേലത്തിൽ പിടിച്ച ആരും ഡേമണി കെട്ടിവയ്ക്കാതെവന്ന കുടിശ്ശിഖയാണ്.

Mr. T. K. Kittan: ഇതു് ഏതാണ്ടു മുതൽക്കാണ്.

Mr. M. K. Nilakanta Aiyar: ൧൧൦൯ മുതൽക്കാണ്.

Then as regards corruption, Sir..............

Mr. T. K. Kittan: കള്ളു കുടിക്കുന്നതു് രൊക്കം കാശുകൊടുത്താണ്. അവിടെ കണക്കെഴുതിപ്പു കുടിക്കുന്നവരുടെ കയ്യിൽനിന്നും വാങ്ങിക്കുന്ന കാശു ഖജനാവിൽ ഒടുക്കിയിരുന്നെങ്കിൽ ഈ കുടിശ്ശിഖവരുകയില്ലായിരുന്നു.

President: The honourable member will resume his seat.

Mr. M. K. Nilakanta Aiyar: Some of the honourable members have said that corruption is rampant in the Department. It is even said that they assist in smuggling. I do concede that this is a Department where there is scope for corruption and that there is the chance of the low-paid officers falling an easy prey to temptation. But I fear the evil has been grossly exaggerated. It has been the honest endeavour of the Heads of this Department to weed out corruption. During the last few years, 4 Inspectors and one Assistant Excise Commissioner have been discharged from the service. During the short time that I have been in charge of the Department 2 Inspectors and 2 peons have been placed under suspension.

Mr. Nedumangad R. Kesavan Nair: May I know whether the non-realisation of the anticipated increase from tobacco is not due to corruption?

Mr. M. K. Nilakanta Aiyar: I do not think so. I may assure the House that no pains will be spared to root out the evil. However, I am sure the House will bear with me when I say that unless there is co-operation from the public my attempts may not produce the desired result.

President : The question before the House is that Government be granted a sum of Rs. 7,18,104 under Demand VII—Excise.

The motion was put to vote and carried and the grant was made.

DEMAND VIII—ADMINISTRATION OF JUSTICE Rs. 11,52,237.

Mr. Puthupalli S. Krishna Pillai (*Legal Remembrancer*) : Sir, I beg to move for a grant of Rs. 11,52,237 under Demand VIII—Administration of Justice.

Mr. G. Narayana Aiyar: I support the Demand. But I wish to bring certain important facts to the notice of Government. The standardisation scheme came into effect on the 1st Idavam 1110 and by the passing of the Government order, increased pay accrued to all Government servants in service and fortunately all non-Gazetted officers, excepting those in the Judicial and Educational Departments got their quota from 1-10-1110. But the non-gazetted officers of these two Departments were not allowed to draw their increased scale and their claim was being postponed on some flimsy ground for what reason nobody can explain. After a great deal of communications and controversies there comes an order towards the close of 1113 to say back arrears need not be paid to those non-gazetted officers in the Judicial and Education Departments. I cannot understand how they are guilty. While all their brethren in service in the other Departments are drawing increased pay, from 1-10-1110 these two unfortunate set of people are negatived that right. I ask the question whether it is not a legal right that accrued to these people. How can that be negatived ? How are they responsible for the delay in granting them the benefits of the standardisation ? The number of such officers in the Judicial Department alone may come to over 1,000. There is a great deal of heart burning amongst them and want of incentive for proper work. A claim accrued to them by the order which claim is legally enforceable in a court of law. They were expecting that the same will be paid by Government who will not draw a distinction between 2 sets of officers of equal status serving them. As a result of "Standardisation", ministerial employees in the Judicial Department alone were hit hard Their brethren in other departments got their arrears of pay from 1-10-1110. So, the position is that when one set of Government employees got their arrears of pay from 1-10-1110 as per the standardisation the other set of employees of the same status in the Judicial Department, for no fault of theirs, were

debarred by the Financial circular from claiming their arrears for such period. Such a position is hard. The circular issued by the Financial Secretary negativing claims for back arrears of pay of the servants of the Judicial Department on the standardisation scale is highly objectionable. A body of employees who claimed their higher scale of arrears earlier and received them are fortunate while those who waited relying on their legal claims which claims were refused arbitrarily are unfortunate. In the latter category comes a large number of servants in the Judicial Department. They are put to untold hardship. I request Government to seriously consider the just overlooked claims of the employees of the Judicial Department and redress their legitimate grievances at an early date.

(At this stage the President vacated the chair and Mr. Kottur Kunjukrishna Pillai occupied it.)

A good deal of heart-burning exists in the matter of recruitment to the judiciary. Of late seniority in service does not generally count for promotions. Though there is a specific Government circular in the matter, that has not been observed on various occasions and on various grounds. It is not necessary for me now to go into those details. I appeal to Government to do justice to the really hard-working officers of the Government in the judicial department and encourage them.

The pages of the Administration Report reveal the work turned out by Munsiffs during pre-standardisation and after. The work turned out in the former period is till 1110 was far superior and satisfactory. That, according to me, was occasioned by certain circumstances. Prior to 1110 the initial pay of a permanent Munsiff was Rs. 200 and there was biennial increment of 25 Rupees. After 1110, the initial salary of the office was lowered to Rs. 150 and the increments too were made unattractive. Prior to standardisation, a Munsiff can automatically earn his maximum in 12 years time, whereas under the standardisation rules, his reaching the maximum in a reasonable time is beset with difficulties. There are now 3 grades of Munsiffs *i. e.* Rs 150 to 200, 200 to 250 and 250 to 300. But before 1110 there was only one grade of Munsiff. Added to all these, a lot of new officers are directly recruited in disproportionate numbers overlooking the claims of those in service All these contribute to the unsatisfactory state of affairs regarding outturn of work in the Judicial Department. I earnestly request Government to look into the matter and arrive at a wholesome decision so that the heart-burning that exists in the rank and file of the officers especially the Munsiffs in the judiciary may disappear forthwith. By so doing, the inclination on the part of officers to produce

[Mr. G. Narayana Aiyar.]

greater out-turn of satisfactory work will naturally increase and consequently, they will bestow proper attention in the out-turn of efficient work as well.

Another equally important point to which Government should turn their attention is in the matter of disposal of old cases. The minimum number of suits that has to be disposed of by a Munsiff within a month as per the existing rule has been fixed by Government at 40. That is really too much. To show the minimum Judicial Officers always take up light and unimportant cases, so much so, that old and difficult cases are allowed to lie over. Thus, even money suits of 5 and 6 years' standing remain undisposed of in all the courts including the High Court. Too much stress should not be laid on the number of cases to be disposed of. The heavy arrears of old cases is all due to either inefficiency of the Judicial Officers, or heart-burning or want of encouragement of the officers concerned. It has to be stated that there are very capable officers in the Judicial Department. It is high time that Government take into serious consideration the grievances of the hard-worked set of Judicial Officers and bring about a satisfactory solution. Unless their due claims are recognised and encouragement given in proper cases, there is no safety for the public. There will arise inordinate delay in the administration of justice. All these are matters for the serious consideration of the High Court. Those Judicial Officers, who do substantial work, should be given encouragement. At least in future, that ought to be a guide for promotion.

In regard to the attendance of Judicial Officers, I have to say a word. As a rule, some of these officers do not attend courts at the fixed time. This defect is probably due to heart burning of the officers concerned. The court should assemble at the bench precisely at eleven A. M. and regular work begun at 11. It is not enough if they go to court at 10-30 or 11. It is more the hour of commencement of work in courts that is important. More time has to be devoted for work in the bench.

Lastly, a word about the large number of additional courts. Their existence causes a good deal of difficulty. Some are even of 20 years standing. Their term is extended year by year. Unless the courts are given some sort of fixity the presiding officers are not likely to show good work. If Government find from statistics that a particular additional court is necessary why not such a court be made permanent so that the presiding officer there could work satisfactorily and justly. With these important suggestions I support the Demand.

Mr. Sultan Muhiadheen: (*Trivandrum* and *Nedumangad cum Chirayinkil*): സർ, മുൻസിഫന്മാരും ജഡ്ജിമാരും മാസത്തിൽ ഇത്ര കേസുകൾ വീതം തീർക്കണമെന്ന ഒരു വ്യവസ്ഥയുള്ളതുകൊണ്ട് സാധാരണ അവർ ചെറിയതും അധികം തർക്കമില്ലാത്തതുമായ കേസുകൾ തീർത്തു എണ്ണം തികയ്ക്കുകയാണ് പതിവു. തർക്കമുള്ളതും കാലപ്പഴക്കമുള്ളതുമായ വലിയ കേസുകൾ ഒന്നുംതന്നെ അവർ തൊടുന്നില്ല. തന്നിമിത്തം ഓരോ കോടതികളിലും കുടിശ്ശിഖ ധാരാളമായിട്ടുണ്ട്. ഈ സാമ്പത്തികാധഃപ്പതനകാലത്തു കേസുകൾ ഇങ്ങനെ കുടിശ്ശിഖയായി കിടക്കുന്നതു ജനങ്ങൾക്കു വളരെ കഷ്ടനഷ്ടങ്ങൾക്കിടയാക്കുന്ന ഒരു സംഗതിയാണ്.

Mr. Kallur Narayana Pillai: അഞ്ചു കൊല്ലത്തിനുമേൽ പഴക്കമുള്ള കേസുകൾക്കു വിധികൽപ്പിക്കുന്നപക്ഷം കേസു തീർക്കേണ്ട മിനിമത്തിൽ കുറഞ്ഞാലും വിരോധമില്ല എന്നു ഒരു ഹൈക്കോടതി സർക്കുലർ ഉള്ളതായി മെമ്പർക്കറിയാമോ?

Mr. Sultan Muhiadheen: ഉണ്ടായിരിക്കാം.

ഏതായാലും കാലപ്പഴക്കമുള്ള കേസുകൾ എളുപ്പത്തിൽ തീർക്കണമെന്നു കർശനമായ ഉത്തരവയക്കേണ്ട കാര്യത്തിൽ ഹൈക്കോടതിയുടെ ശ്രദ്ധ പെടണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

കർഷകരുടെ ആശ്വാസത്തിനായിട്ടാണല്ലോ കൺസിലിയേഷൻ ബോർഡുവച്ചിട്ടുള്ളതു്. കർഷകരുടെ ഋണനിവാരണസംഗതിയിൽ കൺസിലിയേഷൻ ബോർഡു പാസാക്കുന്ന ഉത്തരവുകളനുസരിച്ചു് പ്രവർത്തിക്കുന്നതിൽ മുൻസിഫന്മാരും ജഡ്ജിമാരും വിമുഖന്മാരായിട്ടാണ് കണ്ടുവരുന്നതു്. തൻനിമിത്തം കൺസിലിയേഷൻ ബോർഡുകൊണ്ട് ഉദ്ദേശിക്കുന്ന ഫലം കർഷകർക്കു കിട്ടുന്നില്ല. അതുകൊണ്ട് കൺസിലിയേഷൻ ബോർഡിലെ ഉത്തരവനുസരിച്ചു് മുൻസിഫ്കോടതിയിലൊ ജില്ലാക്കോടതിയിലൊ ആരെങ്കിലും അപേക്ഷ കൊടുത്താൽ അതനുസരിച്ചു നടത്തുന്നതിനു വേണ്ട ഏർപ്പാടുകൾ ഗവൺമെൻറു ഉടനടി ചെയ്യേണ്ടതാണ്.

ചില പഞ്ചായത്തുകോടതികളിലെ ജഡ്ജിമാരെത്തന്നെ ആണററി മജിസ്ട്രേട്ടന്മാരായും നിയമിച്ചിട്ടുണ്ട്. ഇങ്ങനെ നിയമിച്ചിട്ടുള്ള ചില ആണററി മജിസ്ട്രേട്ടന്മാർ മുനിസിപ്പൽ കൗൺസിലിലെ മെമ്പറന്മാർ കൂടിയാകുന്നു. മുനിസിപ്പൽ കേസുകൾ വരുമ്പോൾ കൌൺസിലർ എന്നുള്ള നിലയിൽ ആദ്യം പ്രാസിക്യൂഷന് അനുവദിക്കുകയും പിന്നീടു അയാൾതന്നെ ആണററി മജിസ്ട്രേട്ടെന്ന നിലയിൽ ആ കേസ് വിസ്തരി

[Mr. Sultan Muhiadheen.]

ക്കുകയും ചെയ്യേണ്ടിവരുന്നു. ഇതു് പാവപ്പെട്ട ജനങ്ങൾക്കു വളരെ സങ്കടത്തിനിടവരുത്തുന്നു. ഇതിന്ന് ഒരു പരിഹാരം ഉണ്ടാക്കേണ്ടതാണു്.

ജമാബന്ധിപരിശോധനക്കു അസിസ്റ്റൻറു് പേഷ്കാരന്മാരെ ചുമതലപ്പെടുത്തുന്നതിൽ ജനങ്ങൾക്കു നേരിടുന്ന സങ്കടങ്ങളെപ്പററിയാണു് ഇനി എനിക്കു പറയുവാനുള്ളതു്.

അസിസ്റ്റൻറു പേഷ്ക്കാരന്മാർക്കെല്ലാം ഒന്നാംക്ലാസ് മജിസ്ട്രേട്ടിൻെറ ജോലികൂടി ഉണ്ടു്; അതായതു് ക്രിമിനൽ കേസുകൾ അവർക്കു വിസ്തരിക്കേണ്ടതായിട്ടുണ്ടു്. പത്മനാഭപുരം അസിസ്റ്റൻറു പേഷ്കാരെ നെടുമങ്ങാട്ടു് ജമാബന്തിപരിശോധനക്കു നിയമിക്കുകയാണെങ്കിൽ തോവാള, അഗസ്തീശ്വരം താലൂക്കിലെ ജനങ്ങൾക്കു ക്രിമിനൽകേസു സംബന്ധമായി എന്തെങ്കിലും ഒരു പരിഹാരം ഉടനടി നേടേണ്ടതായിവരുമ്പോൾ ൫൦ മൈൽ അകലംവരെ പോകേണ്ടിവരുന്നതു് ജനങ്ങൾക്കു വലുതായ ഒരു അസൗകര്യം ആണു്. അതുകൊണ്ടു് അസിസ്റ്റൻറു പേഷ്കാരന്മാർ അവരുടെ അധികാരാതൃത്തിവിട്ടു ജമാബന്തി പരിശോധനക്കു പോകുമ്പോൾ മജിസ്റ്റീരിയൽ അധികാരം സ്ഥലത്തുള്ള തഹശീൽദാരന്മാർക്കു നൽകിയാൽ ജനങ്ങൾക്കു ബുദ്ധിമുട്ടുകൂടാതെ കഴിക്കാം. ഈ വിഷയത്തിലും ഗവണ്മെൻറിൻെറ ശ്രദ്ധയെ ഞാൻ ആകർഷിച്ചുകൊള്ളുന്നു.

അടുത്തതായി സമുദായപ്രാതിനിധ്യത്തെപ്പററിയാണു് എനിക്കു് പറയുവാനുള്ളതു്. ഇപ്പോൾ മുൻസിഫന്മാരായിട്ടോ, സക്കാർ വക്കീലായിട്ടോ, ലാക്കാളേജ് ലക്ചററർമാരായിട്ടോ ഞങ്ങളുടെ സമുദായത്തിൽനിന്നും ആരുംതന്നെയില്ലെന്നുള്ളതു വ്യസനസമേതം പറയേണ്ടിയിരിക്കുന്നു. ഈ ഉദ്യോഗങ്ങൾ വഹിക്കാൻ യോഗ്യതയുള്ളവർ ഞങ്ങളുടെ സമുദായത്തിൽ കൂടുതലായിട്ടില്ലെങ്കിലും ആവശ്യത്തിന്നു തക്കവണ്ണം ഉണ്ടെന്നുള്ള സംഗതി ഗവർമെൻറിനുതന്നെ ബോദ്ധ്യമായിട്ടുള്ളതാണു്. കൂടാതെ വക്കീലന്മാരിൽനിന്നും മജിസ്ട്രേട്ടന്മാരെ നിയമിക്കുന്ന ഒരു പതിവു ഗവർമെൻറു ഇപ്പോൾ അനുഷ്ഠിച്ചുവരുന്നുണ്ടു്. മുസ്ലീം സമുദായത്തിലുൾപ്പെട്ട ചില വക്കീലന്മാർ മജിസ്ട്രേട്ടുദ്യോഗത്തിന്നു അപേക്ഷിച്ചിട്ടും ഗവണ്മെൻറു അവരെ നിയമിച്ചിട്ടില്ല എന്നാണു് എനിക്കു് അറിയാനിടയായതു്. അതുകൊണ്ടു് ഗവണ്മെൻറു ദയവായി ആലോചിച്ചു് ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിൽ യോഗ്യതയുള്ള മുസ്ലീംഗൾക്കു് കൂടുതൽ പ്രോൽസാഹനം നൽകണമെന്നു് ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിലുള്ള ജഡ്ജിമാർ, മുൻസിഫന്മാർ, സർക്കാർ വക്കീലന്മാർ ഈ ഉദ്യോഗങ്ങൾക്കു ബാറിൽനിന്നും ആളുകളെ

നിയമിക്കേണ്ടിവരുമ്പോൾ അവരുടെ മുന്നൊകൊല്ലത്തെക്ക മുമ്പുള്ള വാ വു്, അതാതുദ്യോഗത്തിനുള്ള ശമ്പളത്തുകയെക്കാൾ കൂടുതലായിരിക്കണ മെന്നു് ഒരു വ്യവസ്ഥ വച്ചിട്ടുണ്ടു്. എന്നാൽ ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിലെ പല നിയമനങ്ങൾക്കും ഗവൺമെൻറു ഈ വ്യവസ്ഥ ശരിയായി അനുഷ്ഠിച്ചുകാണുന്നില്ല എന്നു വ്യസനസമേതം പറയേണ്ടിയിരിക്കുന്നു. അതായതു് നിയമം ഒരുവിധത്തിലും നിയമനം മറ്റൊരുവിധത്തിലും ആണു് കണ്ടുവരുന്നതു്. ഈ സംഗതിയിലും ഗവൺമെൻറു ശ്രദ്ധപതിപ്പിച്ചു ആൎക്കും സങ്കടമില്ലാത്തവിധത്തിൽ വേണ്ട ഏർപ്പാടുകൾ ചെയ്യുകാണണമെന്നു ഞാൻ ആഗ്രഹിക്കുന്നു.

Mr. R. V. Thomas: In dealing with this Demand I have to refer to the corruption that is rampant in the Department. When that is the case with the administration of justice, we can more or less imagine the consequence. Some years back there was strong impression in the land that apart from the corruption of individual officers they do not get just decisions in Travancore Courts. But the position has changed now for the worse. With great sorrow I have to say that the faith of the public in Travancore Judiciary has fallen very low. It may be the impression of some of the members of this house that I am speaking in such strong terms because I belong to a particular political party. I assure you, Sir, that I am not easily carried away by political trifles to make such strong assertions. I really do feel that I speak these things with all the force of my conviction that there is an impression at present in the mind of the people that the Travancore Judiciary is not as incorruptible as it had been before. (*Hear, hear*). I do not say that A, B or a particular organisation is responsible for this impression. Perhaps the impression may not be exactly in proportion to the actual facts, it may be much stronger than the actual facts. But this is the real case. People are under the impression that in cases where the Government is interested Travancore Courts of law at present do not administer justice impartially.

Chairman: I refer the honourable member to Rule 28 which prohibits an attack on the Judiciary.

Mr. R. V. Thomas: I do not quite realise what the Section is.

Chairman: An attack on the Judiciary with regard to corruption and other things is prohibited.

Mr. R. V. Thomas: The impression that Judiciary is corrupt is created as a result of the way in which the administration of justice is carried out in the land. That is what I want to impress upon the Government. Of course the present political development may have to a large extent, tendered to one way or the other. But

[Mr. R. V. Thomas.]

I do not think it is a justification why the administration of justice must in any way deteriorate. What I would impress upon the Government is that there is a feeling in the land that the administration of justice has deteriorated, chiefly through the unwarranted, uncalled for interference of the executive in the administration of justice. There is that one defect in the present system of Government. Corruption to which I have referred to in matters judicial is all the more rampant in cases where the executive officers of the State are invested with judicial powers. Of course it may be, to a small extent, due to the weakness of human nature, But it is no justification why the administration of justice must suffer and the efficiency should deteriorate. Perhaps a particular political party may carry on strong agitation against the Government. They may very mercilessly critise the action of the Government. But the Government must always scrupulously try to create an impression in the general public that even if the heaven comes down justice will be carried out to its fullest extent. I would request the Government along with the Dewan President of this House that political animosities should not mar the administration of justice.

Mr. C. N. Thuppan Nampooripad (*Travancore Jenmies*): സർ, ഈ ഡിമാൻറിനെപ്പററി എനിക്ക് അല്പം സംസാരിച്ചാൽ കൊള്ളാമെന്നുണ്ടു. ആദ്യം കൊടുത്ത ലിസ്റ്റിൽ എൻെറ പേരു് ഉൾപ്പെടുത്തീട്ടില്ല. അതുകൊണ്ടു എനിക്കും സമയം അനുവദിച്ചുതരണമെന്നു അപേക്ഷിക്കുന്നു.

ഞാൻ ഈ ഡിമാൻറിനെ എതൃക്കുന്നു. സിവിൽക്കോടതികളിൽ ഉണ്ടാകുന്ന കേസു കുടിശ്ശികകളെ സംബന്ധിച്ചും കേസുകൾ തീരുമാനിക്കുന്നതിൽ വരുത്തുന്ന കാലതാമസത്തെ സംബന്ധിച്ചും പ്രസ്താവിക്കുന്നതിനുവേണ്ടിയാണു് ഞാൻ ഈ ഡിമാൻറിനെ എതൃക്കുന്നതു്. രാജ്യത്തുള്ള മററു ഡിപ്പാർട്ടുമെൻറുകളെ അപേക്ഷിച്ചു് ജനങ്ങൾക്കു നേരിട്ടു കൂടുതൽ സങ്കടമുള്ളതായ ഒരു ഡിപ്പാർട്ടുമെൻറാണു് ജൂഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറു്. സാധാരണയായി ഒരു കേസ് മുൻസിഫ്കോർട്ടിൽ ഫയലായാൽ അതിനെപ്പററിയുള്ള വിസ്താരവും തർക്കവും കഴിഞ്ഞു ഡിക്രിയായി കിട്ടുന്നതിനു ൨-൫ കൊല്ലം കഴിയേണ്ടിവരും. ഒരുവൻെറ ആയുഷ്കാലത്തു സമ്പാദ്യമായി ൫൦൦൦ രൂപയുണ്ടെന്നു വിചാരിക്കുക. അതു അവൻ ഒരാളിനു് കടം കൊടുത്തിരിക്കയാണെന്നും വയ്ക്കുക. അതേപ്പററി അവൻ കൊടുക്കുന്ന അന്യായത്തിന്മേൽ ഒരു ഡിക്രി കിട്ടുന്നതിനു ൨-൫ കൊല്ലം വേണ്ടിവരുമെന്നോർക്കുമ്പോൾ ഇതിൻെറ വൈഷമ്യം എല്ലാപേർക്കും ഏറക്കുറെ മനസ്സിലാക്കാൻ കഴിയുന്നതാണു്. ഡിക്രി കി

ട്ടികഴിഞ്ഞാൽത്തന്നെ പണം മുഴുവൻ കിട്ടുമോ? ഒരിക്കലുമില്ല. വിധിനടത്തൽ വരുമ്പോൾ അവധികൾ അടുത്തടുത്തു വയ്ക്കും. അതിനെല്ലാം ഇരുകക്ഷികളും ഹാജരാകും. രണ്ടുകൂട്ടർക്കും ധാരാളം പണവും ചെലവാകും. ചുരുക്കിപ്പറഞ്ഞാൽ, ഡിക്രി കിട്ടുന്നതിനും, പിന്നീട് വിധി നടത്തി പണം മുഴുവൻ വസൂലാക്കുന്നതിനും ഉണ്ടാകുന്ന ദീർഘകാലത്തെ താമസത്തിനിടയിൽ ൨ ൦ ൦ ൦ രൂപാ ഈടാക്കുവാൻ ബദ്ധപ്പെടുന്ന ഒരു ഉത്തമർണ്ണന് ഏകദേശം ൨ ൫ ൦ ൦ രൂപായോളം ചെലവു ചെയ്യേണ്ടതായിവരും. ഈ അടുത്തകാലത്ത് ഇങ്ങനെ കേസുകൾ കുടിശ്ശിഖ വരുന്നതിനെ സംബന്ധിച്ച് ഞാൻ വടക്കാഞ്ചേരി മുൻസിഫുമായി സംസാരിക്കുകയുണ്ടായി. അദ്ദേഹം അവിടെ മൂന്നുകൊല്ലത്തിൽ കൂടുതൽ ഒരിക്കലും ഒരു കേസ് ഡിക്രിയായി കിട്ടുന്നതിന് കാലതാമസം വരികയില്ലെന്നു പറഞ്ഞു. ചീഫ്കോടതിയിലെ അപ്പീലിനുകൂടി എടുക്കുന്ന സമയവും ഉൾപ്പെടുത്തിയാണ് ഈ മൂന്നുകൊല്ലം എന്നു അദ്ദേഹം പറഞ്ഞു. എനിക്കു അത്ഭുതംതോന്നി. ഇവിടത്തെ കഥ നമുക്കൊക്കെ അറിയാവുന്നതാണല്ലോ. ഇതിനുവേണ്ടി എന്തെങ്കിലും കാര്യമായ ശ്രമം ഉടനടി ചെയ്യേണ്ടതു വളരെ ആത്യാവശ്യമായിരിക്കുന്നു. മുൻപു, കേസുകളുടെ കാലതാമസം തീർക്കുവാൻ ഒരു കമ്മിററിയെ ഏർപ്പെടുത്തിയിരുന്നു. അന്നു ഞാൻ അതിനെ എതിർക്കുകയാണു ചെയ്തതു്. അന്നു ലാ മെമ്പർ ഈ താമസം തീർക്കേണ്ടാ എന്നാണൊ മെമ്പറുടെ വിചാരം? വേറെ ഏതെങ്കിലും ഒരു വഴി മെമ്പറിനു കാണിക്കുവാൻ കഴിയുമൊ? എന്നു എന്നോടു ചോദിച്ചു. കുടിശ്ശിഖകൾ തീർക്കാൻ ഒരു കമ്മിററിയെ നിയമിക്കുകയല്ലാ വേണ്ടതു, അതിലേക്കുവേണ്ടി നിയോഗിക്കപ്പെട്ടിട്ടുള്ള ഉദ്യോഗസ്ഥന്മാരെ ശമ്പളം കൊടുത്തു നിയമിക്കുവാൻ ഉദ്ദേശിക്കുമ്പോൾ നോക്കി നിയമിക്കുകയാണു വേണ്ടതു; എന്നു ഞാൻ ഉത്തരം പറഞ്ഞു.

ശിപായിമാരുടെ അക്രമങ്ങളെപ്പററി ഒരു വാക്കു പറയാതിരിക്കാൻ തരമില്ല. അവർ ഇടഞ്ഞുകഴിഞ്ഞാൽ കാര്യങ്ങൾ വലിയ കുഴപ്പത്തിലാകുമെന്ന് എനിക്കറിയാം. എങ്കിലും, കുറഞ്ഞപക്ഷം ൧ അണയെങ്കിലും കൊടുത്തില്ലെങ്കിൽ ഒരു സമൻസുപോലും അവർ നടത്തുകയില്ലെന്നുള്ളതു തീർച്ചയാണ്. ഇതൊരു വലിയ സംഗതിയാണ്. ജനങ്ങൾക്കു ഇതുകൊണ്ടുള്ള ഉപദ്രവം കുറച്ചൊന്നുമല്ല. ഗവണ്മെന്റു ഇതും പരിഹരിച്ചു തരേണ്ടതാണ്.

[Mr. C. N. Thuppan Nampooripad.]

ഇനി ഒരു കാൎയ്യംകൂടി എനിക്കു പറയുവാനുണ്ടു്. അതു നടപ്പില്ലാത്ത ഒരു കാൎയ്യമാണെന്നു് എനിക്കറിയാം. ഒരു കേസ് ഫയലാകുമ്പോൾ അന്യായം എഴുതുന്നതു മലയാളത്തിലാണു്. പ്രതിപത്രിക കൊടുക്കുന്നതും മലയാളത്തിൽത്തന്നെ. സാക്ഷിവിസ്താരം നടത്തുന്നതും മലയാളത്തിൽത്തന്നെയാകുന്നു. എന്നാൽ ജഡ്ജിമെൻറു വരുന്നതു ഇംഗ്ലീഷിൽ ആയിരിക്കുന്നു. ഈ ജഡ്ജിമെൻറുകൂടി മലയാളത്തിൽ ആക്കുന്നപക്ഷം അനേകം സാധുക്കൾക്കു വളരെ അനുഗ്രഹപ്രദമായ ഒരു സംഗതിയായിരിക്കും അതു്. അല്ലെങ്കിൽ, ഈ ജഡ്ജിമെൻറു ഒന്നു തൎജ്ജിമ ചെയ്യിച്ചെടുക്കുവാൻ അവർ ഒരു തുക ചെലവിടേണ്ടതായിവരും. അതിനാൽ ഈ ജഡ്ജിമെൻറുകൂടി മലയാളത്തിൽ ആക്കുവാൻ വല്ല നിവൃത്തിയുമുണ്ടെങ്കിൽ അതു ചെയ്യിച്ചുതരുവാൻ അപേക്ഷിച്ചു കൊള്ളുന്നു.

ജന്മി മിച്ചവാരക്കേസുകൾ നിയമത്തിനു വിരുദ്ധമായിട്ടാണു് ഇപ്പോൾ ജഡ്ജിമാർ വിധിക്കുന്നതു്. ജന്മിക്കരം ഏർപ്പെടുത്തുവാൻ ചുമതലപ്പെട്ടിട്ടുള്ള കമ്മിററി ചെയ്തിട്ടുള്ള തീരുമാനം അനുസരിച്ചാണു് വിലത്തരം കുടിശിഖയ്ക്കു ജഡ്ജിമാർ ഇപ്പോൾ വിധിച്ചു വരുന്നതു്. ആ നിലയിൽ ജന്മിമാർക്കു് ഒരു വലിയ നഷ്ടംകൂടി വന്നിട്ടുണ്ടു്. അതിനെയും പരിഹരിക്കേണ്ടതു ഏററവും ആവശ്യമായ ഒന്നാകുന്നു.

Mr. P. I. Simon (*Municipal Councils*): Sir, I support the demand. In doing so I have to enter my emphatic protest against the very serious charges that have been levelled against the judiciary by one of the honourable members, Mr. R. V. Thomas.

Mr. Kochikkal P. Balakrishnan Tampi: Is the honourable member speaking for the Government?

Chairman: You need not answer that question. It is quite obvious.

Mr. Nedumangad R. Kesavan Nair: Sir, I rise to a point of order. I wish to know in what order Mr. Simon was called upon to speak, whether it was in pursuance of the order in which names appear in the list that was handed over to the Chair.

Chairman: That is not a point of order.

Mr. Nedumangad R. Kesavan Nair: I wish to know whether the names of State Congress party members are given in that list.

Chairman: The Chair knows its business.

Mr. C. V. Chandrasekaran: Sir, I wish to know whether the member is in order in questioning the discretion of the Chair.

Chairman: It is absolutely irregular.

Mr. Nedumangad R. Kesavan Nair: I was not questioning the discretion of the Chair.

Chairman: The Chair was calling members from the different parties; one member from the State Congress party, another from the Progressive party and then another from the Independant party.

There has been absolutely no unlawfull interference with the right of speech of members. Mr. Simon will continue.

Mr. Nedumangad R. Kesavan Nair: On a point of personal explanation. I want to know whether the Chair has called according to the list. Mr. Balakrishnan Tampi whose name was suggested was not called.

Mr. Kochikal P. Balakrishnan Tampi: Sir. I appeal to the Chair to save me from the attention of the honourable members so far as this dispute is concerned. I do not want to complain against the decision of the Chair.

Chairman: The Chair has its discretion to choose the speaker.

Mr. P. I. Simon: Sir, in reply to the question put to me I may say, that I am speaking on behalf of myself. Sir, I have been practising in the highest court of the land for 14 years. All that my experience at the bar tells me is that the Travancore Judiciary is incorruptible.

Mr. Kochikal P. Balakrishnan Tampi: May I know from the member whether he was present at Mr. A. Narayana Pillai's trial?

Mr. P. I. Simon: I was present and I can say that the trial was conducted in the most judicial manner. And to say that proper justice is not meted out by our Judiciary and that it is corrupt, in a light-hearted manner, is not proper for an honourable member of this House.

Mr. R. V. Thomas: May I know from the member what is the impression prevailing in the country about the Judiciary?

Mr. P. I. Simon: I am coming to that—Mr. Thomas started by saying in a light hearted manner that the whole Judiciary is corrupt. Then he modified his statement and the modification is significant by saying that the judiciary is not incorruptible. This last statement can be tolerated although it is not true. Mr. Thomas then proceeded to say that at the worst there was only an impression in the minds of the public that everything was not alright with the judiciary. This impression, if there is any, is not

shared by all. If at all, it owes its existence to the mischievous and malicious propaganda that is being carried on by a particular political party to which the member belongs.

Sir, in supporting the demand, I emphatically assert that our judiciary is efficient, it is independent and it is incorruptible.

Mr. Kochikal P. Balakrishnan Tampi: Well, Sir, I am glad that I have been asked to speak on this demand. As a member of the legal profession, I also want to be circumspect about what I speak. I claim to know a bit of law and it is not because of the horrors that may ensue if I talk what is in my mind but because of the courtesy and etiquette expected of a member of the legal profession I restrain myself much in talking about our Judiciary. Sir, I want to observe also that I speak in this strain not with a view to get a good conduct certificate from the Government.

My honourable friend, the member for the Municipalities hinted about the danger of making denunciations of the Judiciary and I know the situation has considerably changed now to prompt that hint. Any how, I am not going to indulge in it.

Now, Sir, before I say anything further I blame the Judiciary for not keeping the promise or rather for not acting up to the recommendation of the Law's Delays Committee that a District Court may be established at Mavelikara. Even Mr. Simon will agree that this is perfectly constitutional. I had stressed the need of a District Court somewhere in central Travancore. When additional judges were appointed in Nagercoil, Quilon and Kottayam I don't see any reason why a District Court is not established somewhere in central Travancore. Sir, I also want to draw the attention of Government that this is not needed on any political consideration at all.

Now, Sir, I come to the Village Panchayat Courts. This again is a point to which I request my honourable friend Mr. Simon should not take exception. Sir, we see often nominations made by Government on the bench of these courts. In almost all the cases the Government nominate men who have no position in public life or any status among decent men. And very often it is found very embarrassing for other judges to sit with these types of men nominated by Government. I would request the Government to consider this and not to nominate to the judicial bench of the panchayat courts people who have little education or little standing in public life.

Thirdly, Sir, with regard to the point raised by Mr. R. V. Thomas. Sir, no doubt there is some corruption prevalent in the judiciary. This is well borne out by the fact that recently two District Judges were depromoted or their promotion debarred. So

there is no denying the fact that all is not well with the Judiciary. Then with regard to the delay in courts I should think that the delay is not due to the inefficiency of the Bench but because of the dilatory practices often adopted by the clients themselves with the counsel of their vakils. Now in justification of the Judiciary let us take up some sort of quantitative method of assessment of the work of the judges and munsiffs. Especially in civil courts, there are miscellaneous petitions and execution cases. In execution cases the munsiffs will have to examine the several witnesses. This is never included in the work approved by the Government. Now, it can be seen that the complaint is not about the judges themselves. When the Government publishes as usual some pompous press communiques for the recruitment of judges which was done formerly by the Honourable High Court the persons selected by the Government will look up to them for favours. Therefore there is a type of judges who naturally show some leniency towards the heads of departments such as the Police Commissioner, the Excise Commissioner and the like. That is unfortunately the case with most of the judges. As far as the other judges are concerned there is the question of human deterioration to be considered. We must understand that we are not in the days of Sadasiva Aiyars and Raman Menons. But we can avoid bringing in evil things by making judges to work at their superannuated age. Sir, we have a sense of public duty to guide our actions. We should try to have the most eminent members of the Bar as judges both in the superior and in the inferior grade.

Sir, another matter to which I want to draw the attention of the Government is this. It is better that the right of pleading in the courts is extended to people without reference to their political predilections. I know personally that Travancore Government has not come in for any amount of praise from British India in the matter of the denial of right to plead in our courts to an eminent counsel and an Ex-Mayor of Bombay, I mean, Mr. Nariman. As a member of the Bar, I do not say anything against the Judiciary.

Sir, the impression is gaining ground in Travancore that the judges are merely at the command of the Executive, *i. e.*, the Judiciary is at the beck and call of the Executive. That is a very unfortunate impression.

As far as the work of the political party referred to by Mr. Simon is concerned, I can only say..............

The House adjourned at 5 P. M. to meet again at 11 o'clock tomorrow.

A. GUNAMONY,

Secretary, Sri Chitra State Council.

PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(OFFICIAL REPORT)

SECOND COUNCIL.

VOLUME XII—NUMBER 5.

THIRD SESSION 1938/1113-1114.

Saturday, the 13th August 1938/29th Karkatakam 1113.

The Council met in the Victoria Jubilee Town Hall at Eleven of the Clock, on Saturday, the 13th August 1938/29th Karkatakam 1113, Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., Dewan-President, presiding.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :

1. Dr. G. D. Nokes, LL. D., Barrister-at-Law (*Public Service Commissioner*).
2. Mr. K. R. Narayana Aiyar, B. A., M. SC. (U. S. A), F. C. S. (*Director of Agriculture and Fisheries*).

QUESTIONS AND ANSWERS.

Income and expenditure of the Transport Department for the first month.

37. *Mr. Nedumangad R. Kesavan Nair (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to lay on the table a statement specifying the gross income, expense and the net income of the Transport Department for the first month after its inauguration?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*): The gross income for the first month from 10-7-1113 to 9-8-1113 is Rs. 54,275-27-13. The total gross receipts from the date of inauguration to the end of Edavam 1113 comes to Rs. 2,32,466-26-11.

[Mr. M. Govinda Pillai.]

The expenditure for the first one month since the inauguration of service cannot be accurately furnished at this stage when certain items of expenditure incurred by other departments for the Transport Department remain unadjusted. An approximate estimate of working expenses for the above period comes to Rs. 42,000.

Mr. Nedumangad R. Kesavan Nair: May I know whether depreciation charges have been deducted from the expenditure?

Mr. M. Govinda Pillai: Yes, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know what the depreciation charges would amount to for a bus for a month?

Mr. M. Govinda Pillai: Two per cent.

Mr. Nedumangad R. Kesavan Nair: May I know the amount in Rs. As. pies?

Mr. M. Govinda Pillai: I may inform the honourable member that up till the end of Mithunam during the current year, on account of interest and depreciation, a sum of Rs. 6,800 has been deducted.

Mr. Nedumangad R. Kesavan Nair: Was it for all the buses?

Mr. M. Govinda Pillai. Yes, Sir, for all the buses together.

Receipts and expenditure of the Transport Department.

38. **Mr. T. Muhamed Ismail** (*Nominated*): Will the Government be pleased to state the receipts and expenditure from the State Transport Department till the end of Edavam 1113?

Mr. M. Govinda Pillai:

Receipts			Expenditure
Rs.	Chs.	C.	Rs.
2,32,466	26	13	1,83,000

Duties of the Excise C. I. D. Officers stationed at Ramamangalam.

39. * **Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) the duties of the Excise C. I. D. people stationed at Ramamangalam or nearabout;

(*b*) how their duties differ from those of the ordinary Excise people;

(*c*) whether the duties of the Excise C. I. D. people are in any respect concurrent with the duties of the ordinary Excise people; and

(*d*) who the present head of the Excise C. I. D. people appointed for Ramamangalam and the surrounding place is?

Mr. M. K. Nilakanta Aiyar (*Ag. Excise Commissioner*)

(*a*) Collecting information regarding smugglers and the routes of smuggling and prevention of smuggling dutiables and the detection of malpractices.

(*b*) The C. I. D. officers are not concerned with the collection of revenue, while the ordinary excise people have to attend to collection work also. The former are meant for preventive and detection work alone. They have jurisdiction throughout the State.

(*c*) Yes, to some extent.

(*d*) Mr. K. Chandrasekhara Pillai, Excise C. I D. Inspector.

Mr. N. V. Chacko: May I know from the member how long since he was posted?

Mr. M. K. Nilakanta Aiyar: He was posted on 1-4-1113.

Report of the Excise Range Inspector re the forcible entry of Excise C. I. D. and Reserve Police into the house of a Christian at Vettikkal.

40. * **Mr. N. V. Chacko**. Will the Government be pleased to state:

(*a*) whether the Excise Commissioner has received any report from the Excise Range Inspector having jurisdiction over Vettikkal that a number of Excise C. I. D. people and reserve police forcibly entered the home of a Christian at Vettikkal and removed several sacks of pepper that he had kept there and preferred a charge against him;

(*b*) whether any action has been taken on the report;

(*c*) who the Excise C. I. D. Inspector is under whom the Excise C. I. D. people in those areas are placed; and

(*d*) under whom the reserve police were acting

Mr. M. K. Nilakanta Aiyar: (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*).

(*c*) Mr. Chandrasekhara Pillai.

(*d*) Mr. Oosman, Inspector of Police.

Mr. N. V. Chacko: May I know from Government whether any petition was received from the party mentioned in part (*a*) of the question?

Mr. M. K. Nilakanta Aiyar: In this particular case, three petitions were received.

Qualification of the Director of Information.

41. *** Mr. Nedumangad R. Kesavan Nair:** Will the Government be pleased to state :

(*a*) the qualifications of the present Director of Information which entitle him to hold the present office ; and

(*b*) whether there were other applicants for the place of the Director of Information, and, if so, will they be pleased to lay on the table a list of such applicants with their qualifications ?

Mr. M. Govinda Pillai: (*a*) The present Director of Information is an undergraduate. He has had considerable experience in journalism having served several important newspapers and news agencies in India.

(*b*) *First part*: No.

Second part: This does not arise in view of the answer to the first part.

Mr. Nedumangad R. Kesavan Nair: May I know whether the present Director of Information knows photography ?

Mr. M. Govinda Pillai: Yes he knows, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know the amount he was getting as pay before he was appointed to his present post ?

Mr. M. Govinda Pillai: He was getting a definite pay as well as remuneration from different papers with which he was connected.

Mr. Nedumangad R. Kesavan Nair: May I know whether he was fined Rs. 5 for writing bad English by a certain journal ?

Mr. M. Govinda Pillai: No, Sir, that has not come to the notice of Government.

Mr. Nedumangad R. Kesavan Nair: May I know the approximate length of films that is being utilised by the Director of Information per month for taking photos ?

Mr. M. Govinda Pillai: I claim notice, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know whether he knows piano tuning ?

Mr. M. Govinda Pillai: I believe he knows that too, he is however competent to supervise and control the work.

Mr. Nedumangad R. Kesavan Nair: May I know whether he has done piano tuning before he was appointed Director of Information ?

Mr. M. Govinda Pillai: He was, as I said, efficient to control that work.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government have ascertained the ability and capacity of this particular officer before he was appointed ?

Mr. M. Govinda Pillai: Before he was appointed, Government were convinced of his competency and ability.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Director of Information has supervised piano tuning in the Women's College and whether complaints were raised that the pianos were not tuned well ?

Mr. M. Govinda Pillai: Government have not received any such complaints.

Mr. Nedumangad R. Kesavan Nair: May I know the number of photographs that are in the custody of the Director of Information ?

Mr. M. Govinda Pillai: I cannot give the exact number. I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know from Government whether the large number of photographic materials including the negatives and other articles are left under the control of the Director of Information ?

Mr. M. Govinda Pillai: All the photos and other articles pertaining to photography which were in possession of the department before the appointment of the present Director of Information and also that are purchased subsequently, are left under the custody and control of the Director of Information.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Director of Information has sold negatives of photos taken as early as 1075 ?

Mr. M. Govinda Pillai: Government are not aware of that.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government have taken stock of the materials under the custody of the Director of Information ?

Mr. C. V. Chandrasekharan (*Pro Vice Chancellor, Travancore University*): Sir, on a point of order, I wish to know whether the member is in order to put all these questions which are not relevant or supplementary to the original question.

President: As a lot of curiosity was evinced by the interpellator about the Director of Information, I did not want to rule it out of order. Most of these questions are irrelevant and the last one offensive and defamatory.

Appointment of the Chief Scout Master.

42. ***Mr. Nedumangad R. Kesavan Nair**: Will the Government be pleased to state:

(*a*) whether they have appointed a non-Travancorean as the Chief Scout Master;

(*b*) the date on which such appointment was made;

(*c*) the pay of that officer and his qualifications;

(*d*) whether the proposal to appoint such an officer was rejected by the Finance Committee; and

(*e*) the necessity for appointing such an officer?

Mr. M. Govinda Pillai: (*a*) No.

(*b*) to (*e*) These do not arise in view of the answer to part (*a*).

Construction of a road between Aruvikara and Vellanad.

43. ***Mr. Nedumangad R. Kesavan Nair**: Will the Government be pleased to state:

(*a*) whether there was a proposal to construct a road between Aruvikara and Vellanad in the Nedumangad taluk;

(*b*) if the answer to the above question is in the affirmative, the stage at which the proposal is at present; and

(*c*) whether any estimate has been prepared for the construction of such a road, and, if so, the amount so estimated?

Mr. G. B. E. Truscott (*Chief Engineer, Roads, Buildings and Irrigation*): (*a*) Petitions and interpellations have been received for the road.

(*b*) Land plan and area list for the free surrender of the lands required for the road are under preparation.

(*c*) A rough estimate has been prepared by the Sub-Division Officer for Rs 6,000.

Scheme to prevent the annual floods in certain taluks.

44. ***Mr. N. V. Chacko**: Will the Government be pleased to state whether they have any scheme to control the annual floods in the taluks of Kunnatnad, Muvattupuzha and Parur and thus prevent or at least lessen the destruction of crops in these taluks?

Mr. G. B. E. Truscott: Yes.

Mr. N. V. Chacko: May I know the nature of the scheme.

Mr. G. B. E. Truscott: Construction of a bund and two irrigation sluices across Kannakal thodu in Parur taluk. (2) Provision of flood bank and groyne in the thodu at Kuttiyal in Neyathodu in Kothakulangara pakuthy, Kunnatnad taluk, (3) Construction of a dam across Edapalli thodu (Chullicat Aur) and (4) Improving the road from Kaladi and flood banks.

Re: (1) *viz*., the bund and sluices across Kannakal thodu an estimate is under preparation. For (2) the groynes have been put up and they serve the purpose of lessening the damages due to floods. With regard to others investigations have been conducted and detailed estimates are under preparation.

Mr. K. R. Elankath (*Kalkulam and Vilavankod cum Neyyattinkara*): May I know the approximate cost for carrying out the scheme?

Mr. G. B. E. Truscott: The approximate cost can be ascertained only after the estimates have been prepared.

Smuggling in Travancore.

45. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether smuggling is still going on in Travancore:

(*b*) the kinds of articles smuggled into Travancore;

(*c*) the approximate time when smuggling into Travancore began;

(*d*) whether smuggling has been waxing or waning in Travancore;

(*e*) whether such waxing or waning has been regular in Travancore;

(*f*) what proportion of the population of each taluk in Travancore is engaged in smuggling;

(*g*) the kinds of articles smuggled into Travancore by the smugglers of each taluk;

(*h*) the reasons and causes which induce people to take to smuggling; and

(*i*) what steps the Government have been taking to prevent smuggling?

Mr. M. K. Nilakanta Aiyar: (*a*) Yes.

(*b*) Tobacco and its preparations, and salt.

(*c*) There is no information.

(*d*) Smuggling is found to be waning.

(*e*) It cannot be said for certain whether waning is regular or irregular.

(*f*) No figures are available.

(*g*) Tobacco and its preparations, and salt.

(*h*) The reason which induces people to take to smuggling is mainly the abnormal gain obtained from the same.

(*i*) Strong preventive staff is posted to the frontiers for systematic patrol work. A posse of reserve police has been posted to the northern frontiers temporarily. There are also two C. I. D. Excise Inspectors to assist them.

Mr. N. V. Chacko: May I know how long it might be before normal staffs are stationed and the special preventive staffs are disbanded?

Mr. M. K. Nilakanta Aiyar. I cannot say exactly when we may withdraw the special preventive staff.

Construction of the Council Chamber.

46. * **Mr. N. V. Chacko**: Will the Government be pleased to state when the new building under construction will be ready for holding meetings of the Sri Mulam Assembly and the Sri Chitra State Council?

Mr. G. B. E. Truscott: By the second half of 1114.

Work done in furtherance of the University Scheme.

47. * **Mr. Nedumangad R. Kesavan Nair**: Will the Government be pleased to state as to what all has been done in furtherance of the University scheme till this date?

Mr. C. V. Chandrasekharan: The attention of the member is invited to the note on the University Budget circulated by the Pro Vice-Chancellor to the members of the Legislature.

Change of working hours in schools and colleges.

48. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether they consulted parents of pupils and students, doctors and experts with regard to the change of time for schools and colleges to 9·30 A. M. to 3·30 P. M.; and

(*b*) if not, what made them to fix 9·30 A. M. to 3·30 P. M. as the most suitable time for the students and pupils and their teachers and professors for work in the schools and colleges at Trivandrum?

Mr. A. Gopala Menon (*Director of Public Instruction*): (*a*) Yes; their views were obtained.

(*b*) In view of the answer to part (*a*), this question does not arise.

Mr. N. V. Chacko May I know whether 9·30 A. M. to 3·30 P. M. is more convenient than 10 A. M. to 4 P. M.

Mr. A. Gopala Menon: It is only as an experimental measure that we have adopted this change of time. It is too early to say which is better.

ADJOURNMENT MOTION.

President: I have received notice of a motion from Mr. Joseph Kunju, Padiyara, for the adjournment of the House to discuss a definite matter of urgent public importance, namely, the situation caused by the publication of the letter of Sir James Taylor, Governor of the Reserve Bank of India, particularly with reference to the allegations contained therein against the Travancore National and Quilon Bank, to the Honourable Mr. Rajagopalachariar, Premier of Madras. This correspondence between Sir James Taylor, Governor of the Reserve Bank of India, and Honourable Mr. Rajagopalachariar is a matter on which this Government have no control and have no connection. It is a wellknown rule that adjournment motions can only be brought forward with regard to matters in respect of which Government have administrative control and authority. This matter is *sub judice* and the question would come up for decision before the Travancore Court of Law. On these two grounds namely that the Government have no administrative control or responsibility in respect of the matter which is the subject of the correspondence and that it is *sub judice* waiting for the decision of a court of law, I rule the motion out of order.

Mr. Padiyara Joseph Kunju (*Nominated*): സർ, ഇതിനെ സംബന്ധിച്ചു ഒരു വിവരം എനിക്കറിയാനുണ്ടു്. തിരുവിതാംകൂർ ഗവണ്മെൻറിനു ഇവിടത്തെ പണം ഇവിടത്തന്നെ ഉള്ളവർക്കു വീതിച്ചു കൊടുക്കുന്നതിനു അധികാരവും അവകാശവും സ്വാതന്ത്ര്യവും ഇല്ലേ എന്നറിഞ്ഞാൽ കൊള്ളാം.

President: Order, order. That question does not arise out of the adjournment motion. If proper occasion is taken for putting that question, answer will be given.

ARTICLES IN THE MALAYALA MANORAMA REGARDING THE RULINGS OF THE PRESIDENT.

Mr. Padiyara Joseph Kunju: സഭാനടപടികൾ ആരംഭിക്കുന്നതിനു മുമ്പായി ഒരു പ്രധാനസംഗതി അദ്ധ്യക്ഷന്റെ ശ്രദ്ധക്കു വിഷയീഭവിപ്പിക്കുന്നതിനുണ്ടു.

President: What is the matter?

Mr. Padiyara Joseph Kunju: മലയാളമനോരമയിലെ ചില പ്രസ്താവനകളെപ്പററിയാണു് എനിക്കു പറയാനുള്ളതു്.

President: What is it about? Is the honourable member raising a question of personal explanation, a question of point of order or a question of privilege?

Mr. Padiyara Joseph Kunju: A question of privilege, Sir.

ഈ നിയമസഭയുടെ അന്തസ്സിനേയും അഭിമാനത്തേയും പരിരക്ഷിക്കേണ്ട ചുമതല ഈ സഭയുടെ അദ്ധ്യക്ഷനാണുള്ളതു്. ഏതു രാജ്യത്താണെങ്കിലും നിയമസഭാദ്ധ്യക്ഷൻെറ റൂളിങ്ങിനെ പരിപാവനമായിട്ടും അനുസരണീയമായിട്ടുമാണു് പരിഗണിച്ചുപോരുന്നതു്.

President: The honourable member must give me instances before he makes general observations.

Mr. Padiyara Joseph Kunju: ഈമാസം ൨൩-ാം- ഞായറാഴ്ചത്തെ മലയാളമനോരമയിൽ ഉണ്ടായിരുന്ന ലീഡിങ്ങ് ആർട്ടിക്കിളിൽ ഉള്ള ചില പ്രസ്താവനകളാണു് ഞാൻ ഇവിടെ വായിക്കാൻ പോകുന്നതു്.

"ഗവണ്മെൻറും ദിവാനും നിയമസഭയോടു അനുവർത്തിക്കുന്ന നയത്തെപ്പററി മെംബറന്മാരുടെയിടയിൽതന്നെ അതിയായ അതൃപ്തിയും ആക്ഷേപവുമുണ്ടെന്നാണു് കാണുന്നതു്." ഇങ്ങനെ ഒരു ആക്ഷേപം ഈ സഭയിലെ മെമ്പറന്മാർക്കുള്ളതായി തോന്നുന്നില്ല. അങ്ങനെയുണ്ടെന്നുള്ള പ്രസ്താവന നിയമസഭയ്ക്കു വെളിയിലുള്ള വർത്തമാനപ്പത്രങ്ങളുടെ പ്രസ്താവന നിയമസഭയുടെ അഭിമാനത്തെ നിഹനിക്കുന്ന ഒന്നാണു്.

"പിന്നീടു് നിയമസഭാദ്ധ്യക്ഷൻെറ റൂളിങ്ങിനെ യാതൊരു വൈമനസ്യവും പ്രദർശിപ്പിക്കാതെ അനുസരിക്കുക എന്ന അഭികാമ്യമായ പാരമ്പര്യമാണു് പരിഷ്കൃതരാജ്യങ്ങളിൽ അംഗീകരിക്കപ്പെട്ടിട്ടുള്ളതു്. എന്നാൽ ഇവിടെ പ്രസിഡൻറു ഭരണകൂടത്തിൻെറ മേലധികാരികൂടി ആയിരിക്കുന്നതുകൊണ്ടു പല പ്രയാസങ്ങളും നേരിടുന്നുണ്ടു്."

"പിന്നീടൊരുഭാഗത്തു സ്റ്റേററുകാൺഗ്രസ് കക്ഷി അവതരിപ്പിക്കുന്ന ഏതു പ്രമേയത്തേയും അതു രാജ്യരക്ഷക്കു എത്രതന്നെ അത്യാവശ്യമാണെന്നിരുന്നാലും എതിർക്കുക എന്നൊരു നയമാണു്, യാതൊരു നിയോജകമണ്ഡലത്തോടും ഉത്തരവാദപ്പെട്ടിട്ടില്ലാത്ത ഒരാളുടെ നേതൃത്വത്തിലുള്ള നാഷണലിസ്ററുകക്ഷി അംഗീകരിച്ചിട്ടുള്ളതെന്നു തോന്നുന്നു."

അസംബ്ളിയിൽ കഴിഞ്ഞപ്രാവശ്യം ഉത്തരവാദിത്വഭരണത്തെപ്പററിയുള്ള പ്രമേയം ഹാജരാക്കിയപ്പോൾ അദ്ധ്യക്ഷനവർകൾ അതിനെ റൂളൌട്ടുചെയ്തുകൊണ്ടു ചെയ്ത പ്രസ്താവനയെപ്പററി ആ ലേഖനത്തിൽ ഇപ്രകാരം പറയുന്നു.

"ഈ പ്രസ്താവന അതേപടി സ്വീകരിക്കുവാൻ ഉൽബുദ്ധരായ ഇന്നത്തെ തിരുവിതാംകൂറുകാർ ഒരുക്കമുണ്ടായിരിക്കയില്ലെന്നാണ് ഞങ്ങൾക്കു തോന്നുന്നതു്."

തിരുവിതാംകൂറുകാർ എന്നുപറയുന്നതിൽ നിയമസഭാംഗങ്ങളും ഉൾപ്പെടുന്നതാണ്. നിയമസഭയിലെ മെമ്പറന്മാരാരുംതന്നെ അദ്ധ്യക്ഷൻെറ റൂളിങ്ങിനെ ബഹുമാനിക്കുന്നില്ലെന്നും ബഹുമാനിക്കരുതെന്നും ഒരു വ്യംഗ്യംകൂടിയിതിലുണ്ടു്.

"ഒരു തികഞ്ഞ രാജ്യതന്ത്രജ്ഞനും പരിഷ്കൃതാശയനുമായി അറിയപ്പെട്ടിട്ടുള്ള സർ. സീ. പി. കാലത്തിൻെറയും കാററിൻെറയും ഗതിക്കനുകൂലമായി വഞ്ചിരാജ്യത്തിൻെറ ചുക്കാൻ പിടിച്ചുകൊള്ളുമെന്നു പലരും പൂർണ്ണമായി വിശ്വസിച്ചിരുന്നു. വിശ്വവിഖ്യാതമായ ക്ഷേത്രപ്രവേശനവിളംബരത്തോടുകൂടി ഈ വിശ്വാസം അതിൻെറ മൂർദ്ധന്യദശയിൽ എത്തുകയും ചെയ്തു."

President: Order, order. Have you finished?

Mr. Padiyara Joseph Kunju: സർ, ഇതുപോലെ ധാരാളം പ്രസ്താവനകളുണ്ടു്. "കഴിഞ്ഞതവണ അസംബ്ളിയിൽ ഉത്തരവാദിത്വഭരണത്തെപ്പററി ഉണ്ടായ പ്രസിഡൻറവർകളുടെ പ്രസ്താവനക്കുശേഷം ഉണ്ടായ വിൻറർടൺപ്രഭുവിൻെറ പ്രസ്താവനക്കുശേഷം......

Mr. K. K. Kuruvilla (*Mavelikara and Thiruvella* cum *Pathanamthitta*): Sir, on a point of order. May I know whether it is in order to discuss the behaviour of the Dewan in the capacity of the President of a Council here in this House?

President: It is quite in order and I shall give a ruling about this matter presently.

Mr. Padiyara Joseph Kunju: "ആ പ്രഖ്യാപനത്തിനുശേഷം തിരുവിതാംകൂറിൽ ഉത്തരവാദിത്വഭരണം ഉടനടി ഏർപ്പെടുത്തുവാൻ ബാധ്യതപ്പെട്ടിട്ടുള്ള സർ സി. പി. അതിനൊരുങ്ങിയില്ലെന്നുമാത്രമല്ല നിരോധനാജ്ഞകൾകൊണ്ടും നിരർത്ഥകപ്രസ്താവനകൾകൊണ്ടും ഈ നാട്ടിലെ ബഹുജനാഭിപ്രായത്തെ എതിരിടുവാനുള്ള ശ്രമത്തിൽ മുഴുകിയിരുന്നതായിട്ടാണു കാണപ്പെടുന്നതു്",

President: Order, order. The honourable member will resume his seat.

An important question has been raised by the honourable member. That question relates to the issuesof a certain newspaper containing articles purporting to reflect upon impartiality and the conduct of the Dewan in his capacity as the President of this Assembly.

Now, speaking generally, it is a well known and elementary fact that this matter can be debated by way of raising a question of the privilege of this House. So, the honourable member is quite in order in raising this question. The constitutional law relating to this matter is thus laid down in May's Parliamentary Practice, page 89:

> "Reflections on the character of the Speaker and accusations of partiality in the discharge of his duty have been treated severely by the House.
>
> On the 11th February, 1774, the Speaker informed the House of a letter in the Public Advertiser newspaper addressed to him reflecting on his character and on his conduct as Speaker. The House ordered H. S. Woodfall, the printer, to attend, and resolved that the letter was "a false, malicious, and scandalous libel highly reflecting on the character of the Speaker of this House to the dishonour of this House and in violation of the privileges thereof." The printer was declared to be guilty of a breach of privilege and committed to the custody of the Serjeant-at-arms."

It is thus elementary law that a newspaper, which makes remarks concerning the impartiality of the President, comes within the ambit of the Regulation condemning and inhibiting breaches of privilege of this House. It is no doubt true, and in fact it is clear even from the extracts read by the honourable member who raised this question, that the Dewan-President of this Assembly occupies a dual capacity. In one capacity he is the executive head of the Government, and in that capacity he is not exempted from the strongest criticism of policy. And therefore to the extent to which a newspaper criticises the administrative policy of the Dewan of the State, the Dewan has no right to complain, and this House has no right to take up that complaint as a question of privilege. But in so far as a newspaper or an individual reflects on the impartiality of the Dewan in his capacity as President a position which constitutes him, as a representative of this Assembly, as the custodian of its privileges, and as the person in charge of the rights, duties, dignity and status of this House, such reflections are libels on the Chair and those reflections and libels will affect the House itself and its dignity. Therefore severe notice is taken of such criticisms. It is not right that the Chair should come to a decision on this

matter on a statement made by an honourable member on the floor of the House, without scrutiny and investigation. The matter will be investigated and the issues of the particular newspaper translated; and, if this question is again raised in the House, a ruling will be given and the necessary punishment awarded if it is considered that the newspaper has infringed privilege of this House. As this Council is not a court of justice as the Parliament is, such punishment will cousist, as it has consisted in the Legislative Assembly at Simla and elsewhere in the withdrawal of all the editorial and other privileges attached to newspapers. That is one of the forms of punishment exercisable. Let us hope that that newspaper will realise that the reflections on the conduct of the Chair, or on the Dewan as President, are beyond the scope of journalistic liberty and are punishable. This matter will, as I have stated, be scrutinised and brought up again before this House if need be.

VOTING OF DEMANDS FOR GRANTS.

DEMAND VIII.—Administration of justice (*continued.*)

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapally Kartikapally and Ambalapuzha* cum *Shertallai*): Sir, as regards the reflections that were made on the political party to which I have the honour to belong, I leave it there. But I want to draw the attention of the Government to the injustice involved in giving Magisterial powers to private gentlemen. Sir, I refer to the Magisterial authority given to the Manager of the Chief of the Poonjar Edavagai. He is expected to adjudicate on behalf of the Chief with his tenants. It will be a reflection on the judicial administration of the State if the Kariasthan of the Chief of Poonjar is to decide cases where the Chief and his tenants are the parties.

Mr. K. R. Elankath: Sir, I rise to oppose the demand. In doing so, I would like to bring to the notice of this House the inordinate delay in disposing of cases not only in the lower courts but in the High Court as well. In the lower courts where the original cases are taken, we find cases pending for many years not being disposed of. Now there are besides the permanent Munsiffs, so many additional and temporary Munsiffs and they are not few. Now, Sir, one point may be urged in favour of the delay in the disposal of cases. This may be attributed to the voluminous increase of literature with regard to law which is being studied by lawyers who handle cases and so, to arrive at a correct and fair decision, considerable time may be needed. If that is the reason for the delay of a particular case, especially appellate cases, then we should find an increase in the efficiency or quality of the decisions of the courts. There also what we find is that the appeals which have been upheld are becoming less and less in percentage. The number of cases which were confirmed comes to 60·62 per cent.

[Mr. K. R. Elankath.]

And in similar proportion is the case where the decisions of the lower courts were set aside. So what we find is even in such cases the presiding officers cannot justify their position. What is the main reason which must contribute to this? To me it seems that there are two reasons. One is that as long as there are temporary and additional Benches there is a tendency to these officers to show arrears of cases so that these Benches may not be closed down and they are asked to go back. They want to keep up the arrears to continue their posts for the next year also. Therefore it will be more discreet to have these Benches confirmed. The other reason which suggests to me is that even in the case of recruitment to the Bench, the principle adopted is not satisfactory. Of course efficiency is not the monopoly of a particular community. Every community is or is not as efficient as any other community. But there must be a certain set of standard to make a lawyer eligible for becoming a presiding officer. Generally the criterion is the period of service at the Bar and it has been fixed at 5 or 10 years. And recently it has been decided by Government to consider the monthly income of a particular lawyer as the basis for his appointment as a Judge. In the latter case it is very clear that by mere adjustment of accounts one can show that his income is beyond what is required. The only and proper standard that ought to be the guiding principle of Government is the number of cases that a particular lawyer has in his file since he began to practice. Because it is in the interest of the litigant public of Travancore that when a Judge is appointed, the selection must fall on the best known lawyer. It should be the policy of the Government hereafter to see that only persons having a large file of cases are appointed to the Benches. Sir, there is another reason also why this should be. A great many presiding officers who have not dealt with a large number of cases as Vakils are peevish and impatient in the matter of handling cases and they are not able to grasp things which are presented before them.

President : The honourable member has three minutes more.

Mr. K. R. Elankath : Sir, these are the three reasons which appear to me to be causes for the laws delay in our courts. With these words, I resume my seat.

Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government*) : Sir, various points were urged for the attention of Government by several members and I shall, as far as possible, deal with them in the order in which they were presented.

President : The honourable member has 12 minutes.

Mr. Puthupally S. Krishna Pillai: Some honourable members made comments on the unsatisfactory working of the Conciliation Boards in the State and suggested that they must be given additional powers on the lines of the Madras Debt Relief Act so that the Conciliation Boards might work more efficiently. On this question, Sir, I have to state for the information of the House that the two legislative enactments have been drawn up on two distinct and fundamentally different principles. We have in drawing up the Agricultural Debt Relief Regulation accepted the principle of voluntary settlement of debts by mutual agreement between the debtor and the creditor.

In British India a more stringent and drastic policy of compulsorily scaling down of debts has been adopted; and it is that policy that some honourable members are now advocating here. In regard to our Agricultural Debt Relief Regulation, it is not yet time for the Government to say whether it works satisfactorily or not. Statistics so far available show that, if the Regulation is allowed to work for some time more and is given a fair chance side by side with long-term credit facilities which are not now available to the debtors of the country, the measure will work to the entire satisfaction of both the debtor and the creditor class. During the current year, about 2,722 applications were filed beore the 9 Conciliation Boards. Government feel that, in regard to voluntary settlement between the debtor and the creditor which forms the basis of our Debt Relief Regulation, the general tendency on the part of the creditors is to accept any resonable amount in full settlement of their claims provided it is paid down in cash, so that the main reason for the present improper or unsatisfactory working of the Regulation is the lack of long-term credit facilities for the debtor to pay the scaled down debts in cash which alone will satisfy the debtor. Even without compulsorily scaling down not only the whole of the interest but also a portion of the principal, our creditors are quite willing to accept a portion of their dues in settlement of the full claim provided they get cash. But, there is no banking institution in the State which is in a position to advance long-term loans to our debtors; and it is to remove this defect that the Government undertook the responsibility of sponsoring the Credit Bank Bill in the discussion of the provisions of which the honourable members of the Legislature took very great interest. That institution has now been established and will commence work early next month. When that institution begins to work and credit facilities are made available to our agricultural debtors, it is the view of the Government, as I hope it is the view of the honourable members, that the Conciliation Boards will be in

[Mr. Puthupally S. Krishna Pillai.]

a position to do more satisfactory work. Therefore, the question of bringing forward further legislation on the matter has not yet been decided upon by the Government. Proposals have been made in the other House to the effect that the Regulation must be amended. That matter is under consideration and Government are not yet in a position to say what they are going to do. But, on behalf of the Government, I would only request the House to consider this aspect of the matter, namely, that, before we think of any drastic legislation calculated to disturb the existing credit in the country and the mutual relationship of harmony which might possibly subsist between the creditor and the debtor, we must give a fair trial to the present Regulation side by side with the availability of long-term credit; and then, if it is found unworkable, or not sufficient to meet the situation, further steps might be taken.

Mr. G. Narayana Aiyar (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): May I ask whether it would not be advisable to hand over conciliation work also to such of the Munsiffs as have not got sufficient work?

Mr. Puthupalli S. Krishna Pillai: That question was considered fully even when the Bill was before the House, and it was as a result of the insistent demand made by the honourable members of both the Houses, and in view of the recommendation made by the Debt Relief Committee, that the present course was adopted; and experience shows that it is not feasible or proper that the Munsiffs should be invested with the work of conciliating debts also. Honourable members have complained on the floor of the House about the delay in the disposal of suits and about old cases becoming older in spite of the number of suits going down considerably. If that is the state of work turned out by the subordinate judiciary, I ask, will it be consistent with the interests of the litigant public that this additional work of conciliating debts is also entrusted to the Munsiffs?

Mr. G. Narayana Aiyar: May I ask whether the delay in the disposal of suits and arrears, is not due to the heart-burning on the part of the Munsiffs on account of the insecurity of their service and their claims being overlooked?

Mr. Puthupalli S. Krishna Pillai: On the one hand there is the agitation here that the pay of the officers should be reduced and various other drastic steps should be taken to make the position of Government servants less comfortable than it is at present. And here is an honourable member who comes forward with the suggestion that the delay in the disposal of cases is due to the heart-burning caused to the subordinate judiciary on account

of the Standardisation G. O., the present G. O. relating to recruitment to the Judiciary, and other Government Orders on the matter. Sir, that is a far-fetched idea; Government do not agree with the honourable member. Certainly, it is not any heart-burn in the judicial officers that is responsible for the delay in the disposal of cases. The fault lies with the litigants themselves. I may refer the honourable members to what actually happens in the conduct of cases. After pleadings are filed and issues are framed and the case is posted for evidence, honourable members are aware how much time each party takes for applying for processes for the witnesses to be examined, how the witnesses even when present in courts are not actually put into the witness-box and how the filing of copies of documents by either party takes an inordinately long time. There are several cases in which the parties do no help the lawyers by producing the documents in time. There are instances in which, even at the time the case is being argued, the parties rush in with fresh documents obtained that day or the previous day. Sir, these are the main causes of slackness on the part of the subordinate judiciary in the disposal of cases. There is also the other difficulty for which I do not blame the clients entirely for this default. The main reason for this delay, as honourable members are aware, is the economic depression. The clients do not get sufficient money to pay the vakil or to remit money into the court for the issue of processes, or for taking copies of documents.

In regard to the recruitment of Judges and Munsiffs, the matter is covered by a G. O., which, if read carefully, will convince the House that Government have taken the right step in that direction. The honourable member Mr. Elenkath rightly pointed out that merely because a lawyer has put in the minimum number of years' practice he should not be declared eligible for recruitment to the Judiciary. The number of cases he has handled, his income, all these factors have to be taken into account. The G. O. covers all these points; and it is adhered to in making recruitments to the Judiciary. It was suggested that the rule in regard to the income-tax paid by a lawyer works great hardship and therefore should not be adhered to. Sir, that is probably the only possible test which can be applied to ascertain the work of a lawyer at the time of recruitment.

Mr. T. Mahomed Ismail: May I know whether all recruitments subsequent to the G O have been made according to the provisions of the G. O.?

Mr. Puthupalli S. Krishna Pillai: Yes, certainly; only, it was found that the rule relating to the income-tax paid by a Vakil worked real hardship especially in these days of economic depression; therefore the rules were relaxed in that respect alone.

Mr. K. R. Elenkath: May I ask whether there would be any hardship in that respect in the case of Vakils who actually get the income stipulated in the G. O.?

Mr. Puthupalli S Krishna Pillai: No Sir. It is well-known that, since the depression set in, no Vakil has been getting anything like even half of what he was getting in the pre-depression days although there is obsolutely no fall in the number of cases handled by him.

Mr. T. Mahomed Ismail: May I ask whether the relaxation of that rule as to income-tax has been published in the form of a G. O. or a Circular?

Mr. Puthupalli S. Krishna Pillai: No; it is a matter in which the recruiting authorities, namely the High Court and the Government, are mainly interested; and in each case they look into the necessary records and satisfy themselves as to whether the rule as to income-tax should be strictly enforced or not.

Mr. V. S. Arumugam Pillai: (*Thovala cum Agasteeswaram*): May I ask how in the case of Vakils practising in the mofusil the Government ascertain the work of the Various vakils.

Mr. Puthupalli S. Krishna Pillai: Just as it is done in the case of Vakils practising in Trivandrum.

Mr. T. Mahomed Ismail: May I know whether the rules will be relaxed in particular cases alone?

Mr. Puthupalli S. Krishna Pillai: Certainly not.

The time allotted for the Demand having expired, the Demand was put to vote and carried, and the grant made.

DEMAND IX—EDUCATION DEPARTMENT EXCLUDING THE TRAVANCORE UNIVERSITY.

Mr. A. Gopala Menon: Sir, I rise to move for a grant not exceeding Rs. 44,54,574, under Demand IX-Education Department.

President: I have received notices of two cut motions both from Mr. Kallur Narayana Pillai, one to omit the allotment of Rs. 44,54,574 to discuss the necessity of changing the examination time, and another, also to omit the entire allotment, to discuss the necessity for the reduction of school fees. These motions take precedence over the rest.

Mr. Kallur Narayana Pillai (*Mavelikara and Thiruvalla cum Pattanamthitta*): സർ, ഈ ഡിമാൻറിനെ ഞാൻ എതിർക്കുന്നതു ഏതാനും ചില നിർദ്ദേശങ്ങൾ ഗവൺമെൻറിന്റെയും... ....

President: Unless the honourable member feels it incumbent on him to divide the House separately on these two questions, of examination time and of school fees, he might speak on both these points and then ask for the division of the House, if necessary, on them together. That will give a chance to other honourable members also to speak.

Mr. Kallur Narayana Pillai: ഏതാനും ചില നിർദ്ദേശങ്ങൾ ഗവൺമെൻറിന്റേയും എഡ്യൂക്കേഷൻ ഡയറക്ടരുടേയും ഗാഢമായ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നതിനാണ്. ഇംഗ്ലീഷ് സ്കൂളുകളിൽ VI-ഫാറംവരെയുള്ള ക്ലാസ്സുകളിൽ ഇപ്പോൾ ചുമത്തപ്പെട്ടിരിക്കുന്ന ഫീസിൽ ൫൦ ശതമാനമെങ്കിലും സ്ഥിരമായോ അല്ലാത്തപക്ഷം ഈ സാമ്പത്തികാധഃപതനത്തിനു ഒരു ചെറിയ ആശ്വാസം കിട്ടുന്നതുവരെ കുറഞ്ഞതു മൂന്നുകൊല്ലത്തേക്കെങ്കിലുമോ കുറവുചെയ്യണമെന്നുള്ളതാണു ഒന്നാമത്തെ സംഗതി. രണ്ടാമതായി എനിക്കു നൽകുവാനുള്ള നിർദ്ദേശം ഇപ്പോഴത്തെ പരീക്ഷാസമയം മീനമാസത്തിൽനിന്നും മാററി ഡിസംബർ മാസത്തിലാക്കണമെന്നുള്ളതാണ്.

ഫീസിനെ സംബന്ധിച്ചുള്ള സംഗതി ആദ്യമായി ഇവിടെ പ്രസ്താവിക്കാം. നാട്ടിൽ സാർവത്രികമായി സമ്പൽക്ഷയം ബാധിച്ചിരിക്കുന്നു എന്നുള്ളതു ഗവൺമെൻറിന്റെ ദൃഷ്ടിയിൽ എത്തിക്കഴിഞ്ഞിരിക്കുന്ന സ്ഥിതിക്കു ഇതിനെപ്പററി സവിസ്തരം പ്രതിപാദിക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഉൽപന്നങ്ങളുടെ വിലക്കുറവുകൊണ്ടും ദുർഭിക്ഷംകൊണ്ടും കർഷകർക്കു വളരെ വിഷമാവസ്ഥ നേരിട്ടിരിക്കുന്നു. കർഷകർ തിരുവിതാംകൂറിന്റെ നട്ടെല്ലായതുകൊണ്ടു അവരെ ബാധിച്ചിരിക്കുന്ന ദുർഭിക്ഷവും വിഷമവും ഇതരതൊഴിലാളികളേയും ഒരുപോലെ ബാധിക്കുമെന്നുള്ളതു തർക്കമില്ലാത്ത ഒരു സംഗതിയാണ്. ഒരു ൩൦ കൊല്ലത്തിനുമുൻപു ഇന്നത്തെ ആറാംഫാറം എന്നു പരിഗണിക്കപ്പെട്ടുവന്നിരുന്ന മെട്രിക്കുലേഷൻ ക്ലാസിനു പ്രതിമാസം ൨ അര രൂപയായിരുന്നു ഫീസ്. ഇപ്പോൾ പ്രിപ്പാറട്ടറി ക്ലാസിനു പ്രതിമാസം ൨ അര രൂപയാണു ഫീസ്. അതായതു അക്കാലത്തു മെട്രിക്കുലേഷൻ ക്ലാസിനു കൊടുത്തുവന്നിരുന്ന ഫീസു ഇന്നു പ്രിപ്പാറട്ടറി ക്ലാസിനു കൊടുക്കേണ്ടിയിരിക്കുന്നു. അന്നത്തെ കാലം ഇത്രത്തോളം സമ്പൽക്ഷയം ഉള്ളതല്ലായിരുന്നതാണു. അന്നാണു ഫീസു ൨ അര രൂപയായി വ്യവസ്ഥചെയ്തിരുന്നതു. പ്രിപ്പ

[Mr. Kallur Narayana Pillai.]

റട്ടറിക്ലാസിലേയ്ക്കു ഒരു വർഷത്തേയ്ക്കു ൧൨ രൂപായും, ൧-ാംഫാറംമുതൽ ൩-ാംഫാറംവരെ ൩൬ രൂപായും, നാലാംഫാറംമുതൽ ൬-ാംഫാറംവരെ ൬൩ രൂപയുമാണു ഇപ്പോൾ ഫീസു ചുമത്തിയിരിക്കുന്നതു്. ഇതിനു പുറമെ പ്രതിവർഷം ഫീസു ഏട്ടുതവണകളിലായി ഒടുക്കണമെന്നാണു വ്യവസ്ഥ.

ആ വ്യവസ്ഥയനുസരിച്ചു പ്രിപ്പാറട്ടറിക്ലാസിലേക്കു പ്രതിമാസം ഒന്നു രൂപയും ഒന്നാം ഫാറം മുതൽ മൂന്നാം ഫാറംവരെ പ്രതിമാസം മൂന്നു രൂപായും നാലാം ഫാറംമുതൽ ആറാം ഫാറംവരെ പ്രതിമാസം അഞ്ചേകാൽ രൂപായും ഫീസ് കൊടുക്കേണ്ടതായിട്ടാണു കാണുന്നതു്. ഒരു കൊല്ലത്തിനുമുൻപുള്ള അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടിൽ കുട്ടികളുടെ പക്കൽനിന്നും ഫൈൻ ഇനത്തിൽ ഈടാക്കിക്കൊണ്ടിരുന്ന സംഖ്യ വിവരിച്ചിട്ടുണ്ടായിരുന്നു. എന്നാൽ ഇപ്പോഴത്തെ റിപ്പോർട്ടിലാകട്ടെ മൂന്നു ലക്ഷത്തിൽ ചില്വാനം രൂപ ഫീസ് ഇനത്തിൽ ഈടായിട്ടുണ്ടെന്നല്ലാതെ ഫൈൻ എത്ര ഈടായി എന്നു പറഞ്ഞുകാണുന്നില്ല. ഫീസ് സൗജന്യം ഞാൻ വേണമെന്നാവശ്യപ്പെടുന്നതു് ആറാംഫാറംവരെയുള്ള ക്ലാസുകൾക്കുമാത്രമാണ്. അല്ലാതെ കാളേജുവിദ്യാഭ്യാസത്തിനു ഫീസു കുറവു ചെയ്യണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നില്ല.

Mr. C. N. Thuppan Nambudiri (*Travancore Jenmies*): മലയാളം സ്കൂളുകളിൽ വിദ്യാഭ്യാസത്തിനു ഇത്രയും വലിയ ഫീസുണ്ടോ?

Mr. Kallur Narayana Pillai : ഇല്ല; അവിടെ നാലരപ്പണമാണു് ഫീസ്.

Mr. C. N. Thuppan Nambudiri : ആ സ്ഥിതിക്കു കൂടുതൽ ഫീസുള്ളതായ ഇംഗ്ലീഷ് പള്ളിക്കൂടങ്ങളിൽ ചേർന്നു പഠിക്കണം എന്നു് എന്താണു് ഇത്ര നിർബന്ധം? മലയാളം പഠിച്ചാൽ പോരായ്കയുണ്ടോ?

Mr. Kallur Narayana Pillai : ഇംഗ്ലീഷ് പഠിക്കണമെന്നാഗ്രഹമുള്ളവർക്കു് അതിനേക്കുള്ള സൗകര്യം കൊടുക്കേണ്ടതാണു്.

സർ, പ്രൈമറി എഡ്യൂക്കേഷൻ സൗജന്യമായി നടത്തപ്പെട്ടുവരികയാണു. അതിന്റെ ഉദ്ദേശം സാമാന്യജനങ്ങൾക്കു് അക്ഷരജ്ഞാനം ഉണ്ടായിരിക്കണം എന്നുള്ളതു മാത്രമാണു്. സാധാരണ ഒരു വാചകം തെറ്റുകൂടാതെ എഴുതാനോ തെറ്റുകൂടാതെ സംസാരിക്കാനോ കഴിയണമെങ്കിൽ ഇംഗ്ലീഷ് പള്ളിക്കൂടത്തിലാണെങ്കിൽ ആറാം ഫാറംവരെയും മ

മലയാളമാണെങ്കിൽ ഏഴാംക്ലാസ്സുവരെയും പഠിക്കേണ്ടിയിരിക്കുന്ന പ്രൈമറി വിദ്യാഭ്യാസം നാലാംക്ലാസ്സു കൊണ്ടവസാനിപ്പിച്ചാൽ അതുകൊണ്ടു ഉദ്ദേശിച്ച ഫലം കിട്ടുകയില്ല. സാമാന്യജനങ്ങൾക്കു തെററുകൂടാതെ എഴുതാനും സംസാരിക്കാനും ആവശ്യമായ വിദ്യാഭ്യാസം നൽകേണ്ടതു് ഗവണ്മെൻറിന്റെ പ്രാഥമിക ധർമ്മമാണു്. അതിനാൽ അതിലേക്കു വേണ്ട അവസരം ഗവണ്മെൻറ് അവർക്കു നൽകേണ്ടിയിരിക്കുന്നു.

നിവൃത്തിയില്ലാത്തയാളുകൾ എന്തിനു് ഇംഗ്ലീഷ് പള്ളിക്കൂടങ്ങളിൽ കുട്ടികളെ അയച്ചു പഠിപ്പിക്കുന്നു എന്നൊരു ചോദ്യമുണ്ടാകാം. സർ, ഇന്നു് വലിയ സ്ഥാനങ്ങളിലിരിക്കുന്ന പലരും ദാരിദ്ര്യത്തിൽ ജനിച്ചു് ഉയർന്നു വന്നവരാണു്. ദാരിദ്ര്യത്തിൽകഴിയുന്ന എല്ലാവർക്കും തങ്ങളുടെ കുട്ടികളെ വിദ്യാഭ്യാസം ചെയ്യിച്ചു് ഉയർന്നനിലയിലെത്തിക്കാനാഗ്രഹമുണ്ടു്. വിശേഷിച്ചും താഴ്ന്നനിലയിലുള്ള കുടുംബത്തിൽ ജനിച്ചു വളരുന്ന കുട്ടികൾ കുറെ ബുദ്ധിമാന്മാരായിട്ടാണു കാണപ്പെടുന്നതു്. അതിനാൽ അവർക്കു പഠനത്തിനുവേണ്ട സൗകര്യം നൽകേണ്ടകടമ ഗവണ്മെൻറിനുണ്ടു്. കരമിളവിനെ സംബന്ധിച്ചു ചില പ്രക്ഷോഭണങ്ങൾ ഉണ്ടാവുകയും ഗവണ്മെൻറു കരം ഇളവു ചെയ്യേണ്ട സംഗതിയിൽ വേണ്ട ആനുകൂല്യം ചെയ്യുകയും ചെയ്തിട്ടുള്ള സ്ഥിതിക്കു വിദ്യാർത്ഥികളുടെ ഫീസ് സൗജന്യം ചെയ്യുന്നതിനു് ഗവണ്മെൻറിന്റെ ശ്രദ്ധ എന്തുകൊണ്ടു പതിയുന്നില്ല എന്നു ഞാൻ ചോദിച്ചുകൊള്ളുന്നു. ഒരാൾക്കു ൫൦ സെൻറ് ഭൂമിമാത്രം ഉണ്ടെന്നു വിചാരിക്കുക; അയാൾ അവിടെ ൫൦ തെങ്ങു വച്ചു പിടിപ്പിക്കുന്നു; ഇതിൽനിന്നും അയാൾക്കു ഒരാണ്ടിൽ ൫൦ രൂപ ആദായം കിട്ടുന്നു; അതിലുള്ള കരം കൂടിയാൽ പത്തു ചക്രമോ അല്ലെങ്കിൽ അഞ്ചുചക്രമോ ആയിരിക്കും. ഒരു അച്ഛനും അമ്മയും മൂന്നുകുട്ടികളുമുള്ള ഒരു കുടുംബത്തെ അർദ്ധപട്ടിണിയായിട്ടെങ്കിലും പരിരക്ഷിച്ചുകൊണ്ടുപോകണമെങ്കിൽ ശരാശരി ഏഴു ചക്രമെങ്കിലും ദിവസവും വേണം. ഇല്ലാഞ്ഞാൽ സാധിക്കുകയില്ല. ഈ സ്ഥിതിക്കു പ്രതിമാസം ൭ അര രൂപയെങ്കിലും അയാൾ സ്വപ്രയത്നംകൊണ്ടു ഉണ്ടാക്കേണ്ടിയിരിക്കുന്നു. ആണ്ടിൽ ൯൦ രൂപ കുടുംബസംരക്ഷണത്തിനുവേണ്ടി സമ്പാദിച്ചു് ഉണ്ടാക്കാൻ ചുമതലപ്പെട്ടിരിക്കുന്ന ഒരാളിനു് അഞ്ചോ പത്തോ ചക്രം നികുതികൊടുക്കാൻ—ഭൂനികുതി കൊടുക്കാൻ വിഷമമുണ്ടാകുമെന്നു് എനിക്കുതോന്നുന്നില്ല. അയാൾക്കു സഹായം അവിടെയല്ലാ വേണ്ടതു്. എത്ര കഷ്ടപ്പെട്ടാലും തന്റെ സന്താനങ്ങളെ വിദ്യാസമ്പന്നരാക്കിത്തീർക്കണമെന്നുള്ള ആഗ്രഹം അവനു് ഉണ്ടായിരിക്കുക എന്നുള്ളതു് സ്വാഭാവികമാണു്. ഈ സ്ഥിതി

[Mr. Kallur Narayana Pillai,]

യിലാണ് ഗവൺമെൻറ് ജനങ്ങൾക്കു സൗജന്യം ചെയ്തുകൊടുക്കേണ്ടതു്.

ഇപ്പോൾ ഫീസ് എട്ട് ഇൻസ്റ്റാൾമെൻറായിവേണം കൊടുക്കാൻ. അതുമാററി പതിനൊന്ന് ഇൻസ്റ്റാൾമെൻറ് ആക്കുകയും ഒടുവിലത്തെ രണ്ടു ഇൻസ്റ്റാൾമെൻറ് കുട്ടികളിൽനിന്നും ഒന്നിച്ച് ഈടാക്കുകയും ചെയ്താൽ ജനങ്ങൾക്കു കുറെ കൂടുതൽ സൗകര്യമായിരിക്കും. ഇതിനുംപുറമെ സ്കൂൾ വർഷാരംഭത്തിൽ ഗേം ഫീസ് അഞ്ചേകാൽപണം കുട്ടികളിൽനിന്നും ഈടാക്കിവരുന്നുണ്ട്. സാധാരണ ഇടവം, മിഥുനം, കർക്കടകം ഈ മാസങ്ങൾ ജനങ്ങൾക്കു വളരെ ബുദ്ധിമുട്ടുള്ള ഘട്ടമാണ്. ഗേം ഫീസും അപ്പോൾതന്നെ കൊടുക്കേണ്ടിയിരിക്കുന്നു. ഈ പതിവുമാററി ഗേം ഫീസു ചിങ്ങമാസത്തിൽ ഈടാക്കുന്നതിന് വ്യവസ്ഥചെയ്യുന്നതു് കൂടുതൽ സൗകര്യപ്രദമായിരിക്കും.

രണ്ടാമതായി എനിക്കു പ്രസ്താവിക്കാനുള്ളതു് പരീക്ഷാസമയം മാററുന്നതിനെ സംബന്ധിച്ചാണ്. മുൻകാലങ്ങളിൽ എക്സാമിനേഷൻ ഡിസംബർ മാസത്തിലായിരുന്നു നടന്നിരുന്നതു്. ഇപ്പോൾ നല്ല വേനൽകാലത്തു് അതായതു് കുംഭം മീനം മാസങ്ങളിലാണ് നടത്തുന്നതു്. തന്നിമിത്തം വിദ്യാർത്ഥികൾക്കു പല തരത്തിലുള്ള രോഗങ്ങളും ബാധിക്കുന്നുണ്ട്. എക്സാമിനേഷൻ സമയത്തു തന്നെ പല വിദ്യാർത്ഥികളും ഹാളിൽ വീഴുന്നതായി ഞാൻ അറിഞ്ഞിട്ടുണ്ട്. കുംഭ, മീനം മാസങ്ങൾ ചിക്കൻപോക്സ്, ടൈഫോയ്ഡ് മുതലായ പകർച്ചവ്യാധികൾ ധാരാളം ഉണ്ടാകുന്ന ഒരുകാലമാണ്. ആകാലങ്ങളിൽ കുട്ടികൾ രാത്രി വളരെനേരം ഉറക്കമിളച്ചു ഇരുന്നു പഠിക്കാൻ സംഗതിയാകുന്നതു് രോഗങ്ങൾ ബാധിക്കുന്നതിന് കാരണമാകുന്നു. മുങ്ങി കുളിക്കുന്നതിനു വെള്ളമില്ലാത്ത ഒരു കാലമാണതു. രാത്രി ഉറക്കമിളച്ചിരുന്നുള്ള പഠിപ്പും അതു കഴിഞ്ഞു കുളിക്കാതെയിരിക്കയും ചെയ്യുന്ന ഒരു പതിവും കുട്ടികളുടെ ആരോഗ്യത്തെ എത്രമാത്രം നശിപ്പിക്കും എന്നുള്ളതു് ഞാൻ പറയാതെതന്നെ അറിയാമല്ലോ. അതുകൊണ്ട് എക്സാമിനേഷൻ ഡിസംബർ മാസത്തിലാക്കുന്നതു് വളരെ നന്നായിരിക്കുമെന്നാണ് എൻെറ അഭിപ്രായം. അഡ്മിനിസ്ട്രേഷൻ റിപ്പോർട്ടിൽ കുട്ടികളുടെ മെഡിക്കൽ ഇൻസ്പെക്ഷനെപ്പററിപറയുന്നഭാഗംനോക്കിയാലും ഈ പരീക്ഷാസമയം മാറേറണ്ടതിൻെറ ആവശ്യകത വെളിവാകുന്നതാണ്. സയൻസ് കാളേജു മെഡിക്കൽ ഇൻസ്പെക്ഷനെ സംബന്ധിച്ചുപറയുന്നതു്:—

"Out of 875 candidates, 131 were found to be suffering from some defect or other."

എന്നാണ്; ഇതിൽ ഡിഫക്റ്റ് എന്താണെന്നു വെളിവാകുന്നില്ല. ഈ ഡിഫക്റ്റ തലക്കോ കണ്ണിനോ ഉള്ള കേടായിരിക്കാം എന്നു വിചാരിക്കാനെ തരമുള്ളു. അതുപോലെതന്നെ ആർട്ട്സ് കാളേജ് മെഡിക്കൽ ഇൻസ്പെക്ഷൻ സംബന്ധിച്ചും പറയുന്നതു്,

"Out of 199 inspected by the Medical Officers, 64 were found to have some defect or other."

ഇങ്ങനെയാണ്. ഈ നിലയിലാണ് സി. എം. എസ്. കാളേജിനെപ്പററിയുള്ള ഇൻസ്പെക്ക്ഷൻെറയും ഫലം. വിമൻസ കാളേജിനെ സംബന്ധിച്ച് പറയുന്നതു്;

"Among the 114 students thus inspected, 9 were found to be suffering from special defects on which parents or guardians concerned had to be cosulted."

ഇങ്ങനെയാണ, ഇതെല്ലാംകൊണ്ടും പരീക്ഷാസമയം മാറേറണ്ടതിൻെറ ആവശ്യകത വ്യക്തമാകുന്നുണ്ട്. ഇതിനുപുറമെ നമുക്കൊരു പ്രത്യേക യൂനിവേഴ്സിററി ഇവിടെ സ്ഥാപിച്ചിരിക്കുന്നതുകൊണ്ട് പരീക്ഷാ സമയം മാററുന്നതിന് നമുക്ക് വേറേ ആരെയും ആശ്രയിക്കേണ്ട ആവശ്യവുമില്ല.

President: Mr. Govindan.

Mr. K. R. Elankath: Sir, I rise to a point of order. Now, Mr. Kalloor Narayana Pillai wants to have a division of the House on these two main issues. In case there are members who may not be prepared to accede to the whole demand being thrown out on these two issues, and they have to speak......

President: Order, order. I thought I made myself clear. The procedure in regard to the State Council as is well-known, is that it is open to an Honourable Member to make observations without moving any definite motion for omission of the whole allotment and finally vote on the question or to do what the Honourable member has sought to do. I have allowed him to move his demand. The general demand will then be open for discussion. At the time of putting it to the vote of the House I shall put Mr. Narayana Pillai's motion first to the vote and then the general demand to the vote.

Mr. Nedumangad R. Kesavan Nair: Sir, when the question is raised and then discussions are allowed, some deviation from the general rules of procedure is seen. Of course, Honourable Members are called from all the parties so that representation may be given to all the parties. In regard to the particular question

[Mr. Nedumangad R. Kesavan Nair,]

raised by Mr. Kallur Narayana Pillai I want to express a certain opinion and if I am not called upon to speak how could I express my opinion ?

President: Order, order. It must be taken that the time allotted for the whole demand is an hour. The question is whether this particular matter is of such paramount importance that we should have first a full discussion on it and take vote on it and then have another discussion raised on the general demand and a vote taken on that. That would be probably technically correct. In the case of the State Council the matter might be connected into a *reductio ad absurdum*. Supposing four people separately give notice of motions for omission of the whole allotment, they and the people who support or oppose them will take up the whole time of the demand and so the general discussion of the demand will never take place. Therefore it is a matter more of expediency than of abstract following of the rule. If the sense of the House is that Mr. Narayana Pillai's motion is so important that arguments *pro and con* should be heard first and the House divided on it, I have not the slightest objection to allow it.

Mr. Puthupalli S. Krishna Pillai: When a grant is asked for, the only decision which the House can arrive at is covered by Section 28 A. It says that the Council may assent or refuse its assent to any particular demand etc, so that, if the grant has been made,

President: Order, order. Honourable Members will also realise that when the motion is put to vote there is just the risk, which I have not mentioned earlier, of the demand itself being voted down.

Those in favour of Mr. Narayana Pillai's motion being decided *pro and con* will kindly hold up their hands.

Mr. Nedumangad R. Kesavan Nair: I never wanted to press it to a division.

Mr. C. V. Chandrasekharan: May I submit that the motion is only to omit the total allotment in order to discuss the necessity for reduction of fees and change the timings of the examinations?

resident: There are two ways of doing that. It might be stated that the idea of the Honourable Member is draw attention to certain matters. I have asked the Secretary hereafter in printing the cut motions to make the object of them clear so that the difficulty which has arisen now may be avoided. The question is whether this particular discussion raises a topic as to whether the whole Demand could be really voted down. Mr. Govindan will now proceed.

Mr. M. Govindan (*Nominated*): Sir, the Director wants Rs. 44 and odd lakhs for education. My impression is that this demand is hardly enough for meeting the real educational needs of the country. It is true that proportionately we are spending a considerable amount for education. But in Travancore, education has to be encouraged more than in any other place. Here there is a great disparity in the spread of education between high and low classes.

President: I find from the papers placed before me that a large number of Honourable Members desire to speak on this Demand. Therefore I do not wish to apply the time limit to Mr. Govindan before-hand. In any event, I will allow the Member 10 minutes just as I have allowed Mr. Kallur Narayana Pillai and I shall allow ten minuates to Mr. Kuruvilla also, while the rest of the Members will be allowed five minutes each.

Mr. M. Govindan: Sir, some control is necessary for the spread of literacy among the backward communities. Government have made liberal provisions this year for the spread of education among the backward communities. But even that is compratively inadequate. The percentage of literacy among the backward classes is appallingly low. We find that 95 per cent. of these communities are wanting in education. It will be a great problem particularly when the franchise is to be broadened. What will be the fate of the backward communities if adult franchise comes. Therefore ample provision should be made for the spread of education among the backward communities. The only way how we can successfully tackle that problem is by introducing compulsory education in the country. No half hearted measures will serve. We must be prepared for making a big drive. I am aware of the fact that there is great economic difficulty. I am also aware of the fact that there is great difficulty to meet the gradually increasing expenditure in various departments of Government. But there is this wastage in the human factor that has to be considered and that is, a large percentage of the population are not able to develop their capacity to the full extent. This is a wastage and a most serious matter and on that account I plead for a better provision being made for the education of the backward communities. I am thankful to the Government for the liberal provision that has been made in this year's budget for the Protector of Depressed classes, for meeting the needs of the backward class education and for making a grant of five rupees per teacher, for all the backward class schools conducted by the Harijan Sevak Sangh, of which I happen to be the Secretary. I am thankful also for the liberal provision made this year for the free Harijan Hostel. That shows that the Government

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are recognising the urgency of the problem and that provision will be made in course of time when the economic prosperity of the State increases.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnattur*): May I know whether, for the local branch of the Harijan Sevak Sangh except the money allotted by Government, there is any money contributed by the parent body?

Mr. M. Govindan: I am sorry, Sir, that the central body is not now in a position to give us any grant. In recognition of that and in recognition of the very useful work that is being done by the Sangh, the Government have made a more liberal grant this year so that the institution that is being conducted may not be abolished.

With regard to my friend, Mr. Kalloor Narayana Pillai's observations in regard the change of examination time, it is a matter in which medical opinion may be obtained as to whether mid-summer is suitable for the conduct of examinations. Meenam is one of the hottest months of the year and whether it will be suitable for holding final examinations are matters for medical opinion. If my friend says that he has got experience of boys collapsing on account of the examinations held in the hottest part of the year it is a very serious matter which should engage the attention of Government.

In regard to the reduction in school fees, I strongly support the Member's idea that there must be a reduction till at least the School Final Class. No man can be said to be properly educated, in the modern sense of the term, unless a person knows to speak English correctly which is the *lingua franca* of the country. It cannot be said that he has received proper education without this equipment. A person cannot go anywhere in search of employment without speaking and writing English fairly well.

Mr. C. V. Chandrasekharan: Is the honourable member aware that the Wardha Scheme proposes to abolish the teaching of English in Secondary schools?

Mr. M. Govindan: I am aware of that. But in Travancore we are working on different lines.

Mr. R. V. Thomas (*Thodupuzha* cum *Meenachil*): May I know whether the Wardha Scheme is in vogue in any part of Travancore?

Mr. M. Govindan: That is not practical politics here.

Mr. T. K. Kittan (*Vaikom, Kottayam and Changanacherry* cum *Peermade*): ഏതു ഭാഷ പഠിക്കണമെന്നാണു മെമ്പർ പറയുന്നതു്.?

Mr. M. Govindan : ഇംഗ്ലീഷ് ഭാഷ പഠിക്കേണ്ടതാണ്. English education is a necessity as matters stand at present. Our young boys cannot get any employment worth the name either in Travancore or in British India without a sufficient knowledge of English. Many boys have to go and seek for employment in various parts of the country outside Travancore. Therefore I suggest that instead of a very drastic cut, a small percentage of reduction may be made in school fees, in consideration of the fact that there is the economic depression prevailing in the country and in consideration of the fact that the study of English language is of paramount importance for all communities.

Mr. K. K. Kuruvilla : Sir, in the light of Mr. Kalloor Narayana Pillai's observation, I want to discuss this subject of education particularly from that point of view. I am in perfect sympathy with the motion that fees should be reduced. I know personally the hardship of parents to pay their children's fees in time and of the complaint from the parents specially in the matter of fines. Since perhaps I am the only teacher from an aided school in this Council I should speak a few words in their behalf also. I remember that the Education Department had attempted a reduction of fees some years ago, and the excitement that was caused amongst the teachers of aided institutions in that connection. If the school fees are reduced, it is natural that the salaries of aided school teachers will be affected. The help which the teachers of aided institutions get from the Department will be meagre. If you look into the Administration Report of the Education Department for 1112, you will find that the Government have been spending on forty Government English schools Rs. 3,71,800 while for 246 aided English Schools the Government gives a grant of only Rs. 47,864 as maintenance grants. The figures speak for themselves. It is true that the aided institutions get fees. But we must remember that in addition to the receipt of fees the Government spends Rs. 3 lakhs and odd on Government English Schools.

Mr. C. V. Chandrasekharan : May I point out to the honourable member that the figure quoted by him for English Schools is not the net expenditure but the gross expenditure?

Mr. K. K. Kuruvilla : I take exception to that statement. If the honourable member will turn to page 266 of the administration Report of the Education Department for 1112, he could find that the net expenditure under English schools is put down as Rs. 3 lakhs and odd. Under aided institutions the expenditure is only Rs. 47,800. That evidently means that the aided institutions

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suffer a great deal I am not pleading for additional grants because we find, the Government are experiencing difficulties in the matter of providing funds. For example, in spite of repeated requests from the Legislature that the cut of 8 annas should be restored to the private school teachers, and in spite of the fact that the then Ag. Director Dr. Moudgill had promised that four annas would be restored, nothing has yet been done in the matter. After all it was only a matter of 4 annas out of Rs. 8-8-0 paid to the private school teachers. In spite of repeated requests and resolutions of this Legislature, the Department has not found it easy to restore that cut, Therefore, it seems to me that it is practically impossible to make any demand, on behalf of aided school teachers and request Government to make provision for the same. If the Department is willing, it seems to me, they can do the necessary thing for the aided schools.

From the figures, it appears that the Department gets a lakh and odd under 'Examination fees'. The expenditure on that item is Rs. 75,000. Years ago, a member of the Examination Board used to get Rs. 250 for Membership in the Board. It was then reduced to Rs. 150 and that again was made honorary. The remuneration for those who used to get 12 as. for valuation of papers say English, was reduced to 12 chuckrams and the department has made some gain. Now what the department should have done, in justice, was that the examination fees of candidates should have been reduced. If the department charges the same examination fees of Rs. 12 for the students and still retains the revised rate of remuneration to the teachers, I do not think it is neither fair nor just. Therefore if the department wants the gain of about Rs. 80,000 it has to raise the amount of remuneration to the teachers or reduce the examination fees of students. I agree with the mover of the motion that fees should be reduced and that out of this fund Government should, in proportion, increase the grant of institutions No doubt, this is a matter which has raised a great deal of excitement in the minds of grant-in-aid teachers. I think, instead of passing a resolution in this House, the Director be authorised to make enquiries and hold conferences with the teachers and parents of the poor pupils before a final decision is made. It seems to me that it will save Government a good deal of trouble from representations being made by school teachers. This I give as a practical suggestion to save the Government from many representations and at the same time to come to some understanding by which the parents of children should have some escape from this heavy payment.

President: The honourable member has three minutes more.

Mr. K. K. Kuruvilla: Before I stop, I have to make one more suggestion, and that is with regard to the order of the Public Service Commissioner. The Public Service Commissioner had invited applications from E. S. L. C. trained hands for appointment in the Eduction Department in the Intermediate grade. In fact he selected 95 teachers, some of them were recruited to the service. But in the end these appointments were denied to them. I understand that the Government once stated that promotions from the Lower division should not prevail and it was on that understanding that the Public Service Commissioner invited applications. But instantly, while the recruitment was being made, another order came that promotions should be made from the Lower division. Sir, it is not right to give with one hand and take the same away with the other hand. It is not proper to put such hopes into the minds of 95 E. S. L. C. trained teachers, many of whom come from aided institutions and instantly to tell them that there is no provision for them. I appeal that in respect of these teachers a reconsideration should be shown.

Mrs. Abernam Gnanasikhamoni (*Nominated*): Sir, I second the proposal of Mr. Govindan that more money should be allotted to the Education Department, so as to enable them to redress my grievances too. Now-a-days higher vernacular candidates are given preference in service to the 7th class or Vernacular School Leaving Certificate holders. The policy is quite right, because the 7th class standard has become so low during these 26 years. It has come down and down that it is rather unfair for such teachers to lay the foundation of education and to work in the primary schools. It is clearly seen that a girl who passes the 7th class in her 12th year has to wait four years either to enter the service or to get admission to a training school. As such, I do not see any reason why a Government Examination should be held for the 7th class when this examination is not considered very important. It is only a loss to the parents and gives room to their discontentment that the Government is only making money by the public examination.

The second thing which I want to bring to notice of the House is the ½ a Rupee cut in the grant of the primary school teachers. When this cut was made it was given to understand that it was only a temporary one. But it is never restored. Hopes are being given but discontentment follows.

A word with regard to pension. There are two sets of teachers in our State, from among the loyal subjects of His Highness the Maharaja. One is the aided school teachers and the other the

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highly paid Government teachers who are given pension when they retire. The aided school teachers are low paid and they are allowed to starve in their old age. The time for retirement to all the teachers is the same. But the treatment for the old age is different. Even among the teachers of aided schools there are two sets: the one is the Esteemed English School teachers and the other the poor Vernacular School teachers. Benefit of pension among the aided school teachers is entirely and exclusively given to the English School teachers and denied to the poor low paid Vernacular School teachers. These teachers do the same amount of hard work as others and the results of aided schools are much better than those of Government Schools.

President: The honourable member will please conclude.

Mrs. Abernam Gnanasikhamoni: One word about text books. Tamil standard is going down very low. My observation of these 26 years shows that some regular notice should be taken regarding the text books of the small classes. I do not know who is responsible for the selection of the same. But I think it needs notice to be taken of by Government.

Mr. T. Muhammed Ismail: Sir, with the limited time of five minites at my disposal I am asked to ventilate the views of the Muhammadan community with regard to the educational policy of Travancore. I fully agree with the proposal of the honourable member Mr. Kallur Narayana Pillai that school fees should be reduced. I will go a step further and say that education should be imparted free. Of course, it may be a wild desire, for practical difficulties there are. If the Government and the people alike consider that money spent for education is not money spent, but utilised for the progress of the whole country, then I think this view can well be accepted.

Leaving aside that proposition because of the manifold difficulties, I pass on to the demand of education with a view to bring to the notice of the Government how the recent G. O. 1070/37, dated 19th July 1937 has adversely affected Muslim education. This order says:—"Muhammadan boys shall be given half-fee concession in Colleges and in English and Vernacular Schools provided they are poor, in the case of Vernacular Schools the concession shall be subject to the percentage restriction, that is 15% only.

In order to encourage Muslim education, Government, in the past have been showing certain concessions such as half-fee concession, award of scholarships and making provisions for the study of Arabic etc. Naturally the community has taken advantage of it but has not reached that level of education with other communities.

To speak the truth, they have been lagging far behind the other backward communities so much so that the Statham Committee which enquired into the question of education stated in their report thus:—

> "The percentage of Muslims under instruction to the total population of Muslims was 5·9. Comparing this figure with the percentages for childern of all communities under instruction and for Hindu and Christian children, it will be seen that the percentage of Muslims under instruction is extremely low."

They give certain figure to show that it is very unsatisfactory. Therefore the committee recommended the continuance of the special preferential treatment to Muslims in future also. They even went further and recommend the granting of 'increased facilities' by way of concession and scholarships. While things were standing thus comes the new G. O. which has taken away whatever little we got in the matter of concession. In this connection I want to bring to the notice of Government that these concessions are given to the backward communities not as a favour but because it is the desire of the Government to see that all communities are developed so that the country may progress as a whole. It is the progress of the country as a whole that is the criterion which has induced this Government to grant concessions to backward communities and it is the case with all other Governments. So the criterion is whether the Muslim community has reached that level of education with other communities. Certainly not. The Statham Committee Report and the Census Report will show that. Therefore it is that we request the Government to see that the concession that we were enjoying before, may be allowed to continue as a tentative measure, at least, for a period of ten years more. Then the question may be asked whether it is just to grant half fee concession to sons and daughters of rich people.

Mr. Nedumangad R. Kesavan Nair: May I know if he is of opinion that regardless of the birth of persons, half fee concession should be given to all?

Mr. T. Muhammed Ismail: I am coming to that.

President: The honourable member has one minute more.

Mr. T. Muhammed Ismail: I request the Chair to give me a few minutes more. I am speaking on behalf of one particular community and I understand that the other Muslim members are not speaking.

President: I will give the honourable member two minutes more. If I am to extend that time I will be curtailing the time for the other members.

Mr. T. Muhammed Ismail: The question may be asked is it not right that rich people should be taxed. I know much better than any other member of this House or the Government the condition of rich people belonging to the Muslim community. There is a tendency among them not to send their childern to schools and those few who have passed higher examinations are from among the poor and middle class people.

President: The honourable member will close his remarks as soon as possible.

Mr. T. Muhammed Ismail: So I would request the Government to consider more seriously whether it is not possible to change the rule so that people who are proved to be rich only reed pay their full fees. For that I would suggest that those who pay income tax or professional tax or land tax of Rs. 10 or 15 need not be given the concession of half fee. I think it will be better if Government would make such a change instead of insisting on the production of Poverty certificates.

Mr. Nedumangad R. Kesavan Nair: I am in perfect agreement with the motion moved by the honourable member Mr. Kallur Narayana Pillai. With the short time at my disposal I do not think I will be able to discuss the necessity of granting half fee concession. I would only submit that, that may be considered by the Government favourably.

I want to make one suggestion to the present Director, who I am sure, will accept it if it appears to be reasonable. Stipends that have been given to the students who come for training have been very recently stopped with the result that school teachers who are getting about Rs. 15 or something more are compelled to come to institutions in Trivandrum and get themselves trained without the original stipend being given to them. The choice of being trained in particular schools is denied to them. They are asked by Government to attend the institutious here without the benefit that they used to enjoy formerly. So I request that the present Director will pay due attention to this matter,

A perusal of the Administration Report of the Department for the year 1112 shows that the percentage of passes in private schools and aided schools as compared with Government schools is on the increase. I brought this fact to the attention of Government last year also. But the case is the same this year also. The one conclusion that can be drawn is that the instruction that is imparted to the students who are being taught in Government schools is practically of an inferior degree than that imparted to students in Government institutions,

There is one more suggestion that I would like to place before the Director of Public Instruction and that is with regard to the new model questions. Questions of a new model type are adopted from America which require the giving of answers in a sentence or two. The new model system may be advisable to be followed in America where instruction is imparted in the mother tongue where as in Travancore it is imparted in a foreign language. The result of this is that there is no scope for the improvement of the language and the percentage of those who pass in Enlish is on the decline.

A word about Text Book Committee. I am constrained to remark that the Government should place literary consideration above political considerations. I read the names of a few literary luminaries who are members of the Text Book Committee and so many names which I expected are not among the Text Book Committee members. But I find there only the names of persons who were dancing to the tune of Government. None know anything about their literary qualifications. Among these I must mention the name of one Mr. Satyanesan who has been a source of great trouble to the society by his articles in the "Malayala Rajyam" and the "Bharatha Patrika". He has become a regular menace to the society. I do not know on what qualification he is selected as a member of the Text Book Committee. I wish that the Government, at least in the matter of imparting instruction to our children, should ignore political considerations and see that the high educational status of the State is conserved.

Mr. A. Gopala Menon (*Director of Public Instruction*) : Sir, I shall try to explain the position in regard to the points that have been raised by the honourable members in the matter of the educational policy of Government.

President : The honourable member has fourteen minutes.

Mr. A. Gopala Menon : I am at a loss to know where to begin because all the questions that have been taken up today are equally important from my point of view. But the most hotly discussed subject, reduction of school fees, will take up more of my time. The question of reducing fees was considered by Government at the suggestion of this House and the other House of the Legislature and steps were taken in 1111 for the reduction of school fees in English schools, to some extent. Thereupon the department discovered that it was not practicable to continue the policy, because of its re-action upon the terms and conditions of employment of private school teachers. Besides losing a substantial amount by way of fees, Government had to make additional contribution to

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private managements to keep up the old scale of pay to their teachers. As the needs of schools were on the increase and as we were quite convinced that there was ample scope for further improvement in equipment and other conveniences in all schools, it was considered that this reduction would be more prejudicial to efficient education than it would be helpful to the masses. With this view Government had to allow the old rates of fees to be levied again. But it must be remembered that alongside with the restoration of the old rates of fees we have introduced the scheme by which poor students and students who belong to backward communities will receive enhanced conveniences for education in the higher classes. Conveniences and concessions which did not exist in English education were provided alongside with this restoration of old rates of fees. No mention was made of the continuance of the reduced rates of fees in Vernacular schools. But I suppose, that can be adduced, as one honourable member pointed out, as one of the reasons why any reduction of school fees in English schools would be ill-advised at the present time. Government have provided greater convenience for continuing the education in the Vernacular up to the 7th class at a lower rate of fees, half a rupee per month, and because Government have provided this convenience the needs of mass education are being properly met. Of course, I agree with the honourable member Mr. Govindan that our ideal should be that English should be freely spoken and correctly written by every member of the community. But our means and resources would be properly utilised even if we could attain this ideal for our own mother tongue. That being the case, Mr. Govindan's wish must remain an ideal for a very long time, that all people should have facilities for English education and free education should be provided in the High schools. That may come to pass in the future. But for the present, all that I can think of is that an enquiry may be made into the possibilities of reducing the hardship of the poor people in the payment of fees. Mr. Kallur Narayana Pillai himself has mentioned that the number of instalments may be increased. He also pointed out that the months of May, June and July are proverbially the hardest months for the peasant in this country and at that time of the year additional fees and new fees should not be imposed. All these things can be looked into and convenience can be afforded to the majority of the people in this matter by the postponment of the game fees to August or September, and by increasing the number of instalments. If the honourable members would be satisfied with this assurance, I can give the assurance that this will be looked into and all possible action will be taken.

Another point that the honourable member Mr. Narayana Pillai made mention of is the change of the time of examinations. For the time being, I am afraid, this question cannot be taken up for immediate review, because we are under the control of the Madras University for another two years more, and after that period, it will be a question for the Travancore University to go into as to when the proper time for the examination should be. Speaking from personal experience, I may say that I wrote for some examinations in the December-January season and I think the older members of this House have experience of that season for examination. At that time we used to say that cold nights were uncongenial for students to prepare for the ensuing day's papers. Now we are told that summer nights are equally uncongenial and that the time should be changed. On the merits of the case there is not much to be said either the one way or the other. The Madras University has made specific provision for the hot season by prescribing only one paper for each day. Such concessions will probably be contemplated by the Travancore University also. The students find it difficult because they are ill-advised to sit up late on the previous night of each day's examination.

The honourable member Mr. Kuruvilla made mention of some instances in which qualified E. S. L. C. men who were recruited by the Public Service Commissioner could not be provided with appointment. I do not agree with the issue as raised by the honourable member. I wish to make it clear that the Department owes a duty to its own members, to the teachers who have put in equal service, and probably longer service.

Mr. K. K. Kuruvilla: Are not aided school teachers entitled to Government service?

Mr A. Gopala Menon: Certainly they are. When the claims are equal, we owe a prior duty to our own men to promote lower grade teachers to vacancies in the higher grade. It is true the private school teachers might have been put to greater hardship than the members in Government service. Some provision has to be made for the promotion of a certain percentage.

No exclusion of grant-in aid teachers has been intended and as a matter of fact, they are entertained after recruitment by the Public Service Commissioner, provided they have the prescribed qualification.

Mention was made by Mr. Muhamed Ismail about the loss of fee concession granted to Muhammadan pupils. Government have for the last 20 years granted this concession to Muhammadan pupils who, I am glad to see, are rising high in education. There were

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two anomalies in the system of giving concessions to Muhammadan pupils. The first was that however high a man might be, even if he be the Dewan of Travancore, his son could enjoy the concession.

Mr. T. Muhammed Ismail: May I know how many such big officers are in the State at present?

Mr. A. Gopala Menon: One instance of such a glaring nature is enough to undermine the soundness of the whole principle. Sir, the second was that however long a pupil may study in a particular class, he could enjoy the concession.

Mr. Abdul Tayeb Shaikh Kaderbhoy (*Commerce and Industry, South*): Sir, we did not ask for any concession for the sons of rich Muhammadans. But Government should make provision for concessions to poor Muhammadan pupils.

Mr. A. Gopala Menon: That is exactly what the Government have done.

Mr. T. Muhammed Ismail: May I point out that the reverse is being done by the Government? Instead of making the rich people who pay land tax and income tax pay full fee, they allow them to have concessions to their pupils.

Mr. A. Gopala Menon: It would be a very unsatisfactory state of affairs which require investigation of the wealth of individuals to deny them concessions.

Mr. T. Muhammed Ismail: May I know whether it is very easy to verify the rich instead of verifying the conditions of the poor?

Mr. A. Gopala Menon: The difficulty is to fix a standard of wealth.

Mr. T. Muhammed Ismail: Is not income-tax a standard?

Mr. A. Gopala Menon: Who is to ascertain that?

Mr. T. Muhammed Ismail: Is it not to be found out from Government records?

Mr. A. Gopala Menon: It is extremely difficult to ascertain the conditions of 20,000 pupils who apply for fee concessions. But I must say that Government are trying to encourage Muhammedan education in other ways also. One of those means is the continuation of all the scholarships which have been granted to the Muslims. We are also granting some bonus to associations which encourage literacy among Muhammadans.

Mr. N. V. Chacko: May I know whether the Director of Public Instruction is prepared to give concessions to backward areas also? (*Laughter.*)

Mr. R. V. Thomas: May I know whether the anomaly referred to is with regard to the daughters of rich men also

Mr. A. Gopala Menon: I do not catch the gist of that question, Sir. The concession is granted on a uniform principle and it may have worked some hardship, but there is compensation in the additional advantages conferred on the more backward communities. The Government's idea is to bring up the more backward communities at least to the level of the other communities which have risen high in the matter of education. Sir, I can sympathise with the plea that the Muhammadans require encouragement in the matter of education. But Government wanted at this stage to give more concessions to more backward communities.

Mr. Kesavan Nair made mention of the payment of stipends to a certain class of teachers. The Government order of April 1934 clearly states that the teachers who were recruited before the first of April 1934 will be eligible for stipends.

Mr. K. R. Elankath: May I know whether there were any case of students in training who applied for stipends after 1934 to whom stipends were granted ?

Mr. A. Gopala Menon. Government are not aware.

Mr. K. R. Elankath: How many students have applied for vernacular higher training this year ?

Mr. A Gopala Menon: No application for stipends have been received. Selections are made on the recommendation of inspecting Officers and stipends are disbursed by them.

Mr. Nedumangad R. Kesavan Nair: May I know how many teachers who have put in more than 20 years of service and who were taken for training are now deprived of their stipends ?

Mr. A. Gopala Menon: Any teacher recruited before 1934 is eligible for stipend.

Mr. Nedumangad R. Kesavan Nair: Are they to be confirmed before 1934?

Mr. A. Gopala Menon: No, it is enough if they were appointed before 1934. These teachers are therefore eligible for stipends.

President: The Honourable Member will now conclude.

Mr. Nedumangad R. Kesavan Nair. May I know what is the qualification of one Mr. A. N. Satyanesan who is a member of the Text Book Committee ?

Mr. A. Gopala Menon: He is a writer and author of several books.

Mr. Puthuppalli S. Krishna Pillai: Sir, I wish to point out that there can be only one vote on this matter. The House has only to grant it or refuse to grant it.

Mr. R. V. Thomas: Sir, there are two motions tabled by Mr. Kallur Narayana Pillai.

Mr. Kallur Narayana Pillai: ഫീസ് കുറവുചെയ്യുക എന്നുള്ള കാര്യം തൽക്കാലം നടപ്പിൽ വരുത്തുവാൻ സാധിക്കയില്ലെങ്കിലും അതേപ്പററി ചിന്തിക്കാമെന്നും ഫീസ് ൧൧ മാസംകൊണ്ടു് കൊടുത്താൽമതിയെന്നുള്ള വ്യവസ്ഥ ചെയ്യാമെന്നും, ഗയിം ഫീസ് ആഗസ്ററുമാസത്തിൽ ഈടാക്കുവാൻ ഏർപ്പാടുചെയ്യാമെന്നും, ഡയറക്ടർ അവർകൾ പറയുന്ന സ്ഥിതിക്ക ഞാൻ ഈ ഉപക്ഷേപത്തെ പ്രസ്സ് ചെയ്യുന്നില്ല.

The demand was put to the vote of the House and carried and the grant made.

DEMAND X—UNIVERSITY.

Mr. C. V. Chandrasekharan: Sir, I beg to move for a grant of 8 lakhs of rupees under Demand X—University.

Mr. M. K. Ananthasiva Aiyar: Sir, I support the demand. At the same time I may say that the grant is too low for the University as we are expecting very many things by the University. One and all of us should join together without party bias in seeing that the University scheme is brought to a successful termination. Sir, for this purpose we must concentrate our attention on the industrial side of the development of our State. Every house should have so to speak some small factory or workshop which should find out a living for the inmates thereof. I do not find any schemes in this direction in the University by which such home industries may be encouraged. Sir, this requires a huge amount.

Mr. K. R. Elankath: Is it the honourable member's view that during the next year a large number of factories should begin to work under the University?

Mr. M.K. Ananthasiva Aiyar; Sir, my view is that a few factories should be run by the University where the students may go and have a practical knowledge of the working of those factories. They might turn out to be electrical and mechanical engineers to the benefit of the general industrial improvement of the State.

Sir, our forest also abounds in ever so many raw materials for the manufacture of articles such as artificial silk, paper etc. If we could make our own things with our forest produce, that will be a great source of income to the State and to the people themselves. But I do not find a scheme like this in the University. This may be due to the lack of funds. If the Department of Public Instruction would kindly consider to curtail the present expenses by way of salaries to the Professors and Assistant Professors in the Colleges by reducing their numbers, I think we may find some provision towards starting some small factories connected with the University.

Mr. K. R. Elankath: Sir, on a point of order. May I know whether the salary under Education can be discussed under this demand?

Mr. M. K. Ananthasiva Aiyar: Sir, I am not speaking for the reduction of the salary, but for the reduction of the number of the Professors and Assistant Professors. We find that the Professors, Assistant Professors and Lecturers in the Colleges have work only from 10 to 13 periods a week. But the officers who get similar salaries in other departments have to work day and night. Sir, it is clearly an anomalous state of affairs. I do not understand why these people alone should be paid much larger amounts when other officers who get the very same pay have to work more than 10 to 12 hours a day. Therefore some of them may be reduced by giving to others more work and this may save a considerable amount which may be utilised for some other beneficent purposes conducive to the starting of some industrial concerns. Sir, there are certain institutions at present attached to the industrial and agricultural departments. These institutions should be brought under the University. The diplomas given by our University should be such as may be valued and accepted by other countries. With these words, I support the demand.

Mr. M. Govindan: Sir, I support the demand. In doing so I wish to make one observation in answer to my friend Mr. Ananthasiva Aiyar who also has supported this demand. He is under the impression that it is possible for the University to launch on industrial enterprises. It is not businesses of that type that can be done by a University. What the University can do is to develop a taste among young students for industrial habits by establishing technical and technological faculties. If you want to start factories it can be done only under the industrial department. In Germany and other places where there are gymnascias for physical education and faculties to keep up the industrial prestige and advancement of the State, this is not done by the Universities but by other departments. Then with regard to Mr. Ananthasiva Aiyar's point whether it is not necessary to get practical training for our young

[Mr. M. Govindan.]

people and for that purpose whether it is not good that we could have some factories attached to the University I may say that it may not be possible to start them at present.

The House rose for lunch at 1 P. M. and reassembled at 2 P. M. with the President in the Chair.

Mr. M. Govindan : Sir, I was pointing out that what the University has undertaken is to introduce technical and industrial bias in our education.

With regard to certain allegations made elsewhere that even those directly concerned with the University and who are office-bearers therein are themselves sending their own children elsewhere for education. I would not have taken serious notice of that allegation but for the great currency that it has now in the country. What I have to state in that matter is only this: our University does not depend for its success upon the patronage and support of any particular individual, X, Y or Z. (Mr. C. V. Chandrasekharan, (*Hear hear.*) Sir, we cannot impose any restriction on any member of society curtailing his freedom to send, for personal reasons, his children anywhere for education. It is open to people to send their children to England for instance. The success of our University will depend upon how we maintain high standards and see to it that the degrees we grant are respected outside and our degree-holders are considered eligible for service elsewhere. If we do that, the Travancore University is bound to gain popularity.

Mr. Nedumangad R. Kesavan Nair : Sir, I regret I have to oppose the dmand. The special University staff and the University special officer were appointed from the 1st Edavam 1112. The idea was that they will do the necessary spade work. From the work turned out by the special officer so far it looks like "a mountain bringing forth a rat."

Sir, the activities of the special officer can be seen from the Administration Report for the year 1112 and from the Memorandum and the Note given to us by the Pro-Vice-Chancellor. The first thing that he did in 1112 was the holding of a conference on 17-3-1937. He then sent a few letters to the College Principals on 26th May 1937. On the 26th May 1937, the Dewan held a conference of the elected and nominated members of the Legislature, and later on he made a "clear, cogent speech" to the members of the Legislature. Sir, in regard to the selection of members for that conference, I should submit that it was not properly constituted, and only those members who are always supporting Government were invited. Those members who have really spoken

and written something about the University and those who had very many practical suggestions to offer, were not invited.

That conference, I may say, was the third stage in the development of the University. On the 4th June 1937, an advisory committee was appointed, and they held meetings. This was all that was done in the year 1112, and for that an amount of Rs. 57,000 and odd has been spent, as a perusal of the budget will show.

Sir, when Mr. C. V. Chandrasekharan was appointed as Pro-Vice-Chancellor, I for my part had my own misgivings about him. I had very great diffidence as to whether he would be able to do the work satisfactorily. Sir, his antecedents are very well known to all. His transactions while he was Principal of the Science College, and the defalcations which took place then are still fresh in our memory. Dewan Sir Mahomed Habibullah then gave the definite assurance that those who are responsible for such laxity which resulted in the defaulcation would be severely dealt with. I do not want to question the morality of any individual; but Sir, we are anxious that officers should be solicitous of the Government funds entrusted to them for specific purposes and they should always see that the interests of Government are conserved satisfactorily. That is the least that I expect of them. I am sorry the Pro-Vice-Chancellor has not justified his choice.

Anyhow, Sir, I consider that the expenditure incurred for the University till this was quite superfluous.

Now we expected that something more would be done during the current year 1113. The activities of the special officer and his special staff during 1113 could be seen from the Note furnished by the Pro-Vice-Chancellor. As I have already stated, before that Note, a Memorandum was furnished to us showing the lines on which the University was going to be worked. This is what I find at page 6 of that Memorandum :—

> "The present decision of the Government of Travancore to establish a separate University is based not only on the considerations set forth above."

and those considerations have been ignored now ;

> "But far more on the need for an organisation which will serve as an effective and powerful instrument for the reorientation of the whole educational system which is now run on traditional lines dictated by the requirements of the University of Madras."

Later on, he refers to the speech made by the Dewan and says:—

> "In the course of his speech, he laid the greatest stress on the economic and industrial needs and problems of the State and he envisaged the University as an institution which will set before itself as its primary object, the task of training young men to play their part

[Mr. Nedumangad R. Kesavan Nair.]

> worthily in the various schemes of industrial, agricultural and commercial developments which have been and which are proposed to be undertaken. He stressed also the urgent need for reorganising our system of education......................

Sir, what has the Pro-Vice-Chancellor done? Nearly two years have elapsed, and a very decent amount of Rs. 57,000 odd, has already been spent on the University. The Pro-Vice-Chancellor has been able to bring forth an imperfect syllabus on terms identical with the syllabus of the Madras University; the name B. A., has been changed into B. Sc. That is all that has been done. The Honours Courses of the new University are the very same that have in existence all along before. There is no provision for Honours Course in Physics, Chemistry or Zoology. There is a statement by the Pro-Vice-Chancellor that provision will be made for a course of instruction in Electrical Engineering. Sir, it is a fundamental rule that, for training in Electrical Engineering a fairly high standard of Mathematics and Physics is necessary; but our new University does not provide for that and at the same time provides for Electrical Engineering. I cannot see how Electrical Engineering—for that matter, any course in engineering—can be had without a course of combined training in Mathematics and Physics.

Mr. M. K. Ananthasiva Aiyar: May I ask whether Intermediates are not admitted to such courses in other Universities?

Mr. Nedumangad R. Kesavan Nair: No; not for higher courses I am told that they prefer only Graduates for higher engineering courses.

Mr. G. Narayana Aiyar: May I ask the honourable member what will be the amount required for starting the higher engineering courses suggested by the member?

Mr. Nedumangad R. Kesavan Nair: I cannot say. In Economics also no provision is made for an advanced course.

There is also another aspect of the matter. A Research Laboratory and research activities are spoken to by the University authorities. Unless you have Honours Courses, advanced courses in Mathematics, Economics and other subjects, I do not think there will be any scope for research.

Then I come to Laboratory Technology. A Director of Technology has been appointed on a very decent salary, a four-figure amount; it accumulates to Rs. 1,400 a month. The Note of the Pro-Vice-Chancellor says that he has been very active. He has delivered two courses of lectures during the course of two months

to two batches of teachers, 24 teachers from the High School and 24 from the Colleges. Sir, I do not want to go into further details. I request that you may be pleased to go into the matter fully. The percentage of attendance at these lectures was very low. Not a single teacher availed himself of any of the practical suggestions given by the Director of Technology because there were none. The suggestion made by the Director of Technology, for a third course of practical training, was thrown out. The Pro-Vice-Chancellor, in his Note says that the Director of Technology will take up the following items of work:—

1. *Reorganisation of the Work-shop*.—Absolutely no reorganisation of the Workshops is necessary; it is running smoothly and efficiently. There is no necessity for any advice from the Director of Technology; and as a matter of fact he never gave any advice.

2. *Advanced Training in the Laboratory*.—Absolutely no knowledge was imparted to any member of the Laboratory. An expenditure of Rs. 2,500 has been incurred by the Government towards menials and purchase of materials; for instance, half-a-dozen screw drivers have been manufactured. I cannot see what on earth the Director of Technology is going to do with half-a-dozen screw-drivers. I have no time, Sir; otherwise I would point out how the Director of Technology made some ill-designed Laboratory stands which are not being made use of now; he also made some broken spirit lamps and some mercury arc lamps which will not burn. I request you, Sir, to ask Dr. Moudgill what has happened to these things.

Mr. M. K. Ananthasiva Aiyar: May I ask wherefrom the honourable member got all this information?

Mr. Nedumangad R. Kesavan Nair: Sir, these are all the things that the Director of Technology has done. He had invested some thing like Rs. 2,500 and made articles worth Rs. 200.

Then comes another very important work which has been assigned to the Director of Technology. He is going to remodel the clock in the Tower of the Public Offices buildings. He is going to add two more dials to that clock, one on the southern and the other on the northern wall of the Tower. Certainly, that justifies his appointment here. It is a well known fact here, Sir, that officers are appointed straightway, and then the Government worry themselves in finding out work for such officers. The case of the Director of Technology being asked to put two more dials to our Tower Clock here is an example of that kind. Any one who has seen the Public Offices will realise that, unless one travels in an aeroplane or climbs up the roof of the Public Office buildings, he cannot really see fully the southern side or the northern side of the Clock in the clock Tower.

Mr. M. Govinda Pillai: Is the member aware that the proposed dials will be of use to the offices situated to the north and south of the main buildings ?

Mr. Nedumangad R. Kesavan Nair: Certainly not. I would only request the honourable member to go and see for himself atleast now, whether from anywhere inside the premises the southern and the northern walls of the Tower are fully visible.

Sir, that is the work proposed to be done by the Director of Technology ; and he is going to remain here for 4 months more.

In regard to the University special staff itself, Government appointed those officers without considering whether there was any real necessity for the special staff. They appointed one Marine Bilogist on Rs. 500 or so ; he has done nothing at all so far. He has been asked to make a survey of shanks ; that is what he has been doing of late. And then, there is Dr. Cousins getting a decent salary. Nobody knows what he is doing. Similarly, there is a Specialist in Geography. God alone knows what he is doing.

Mr. Kottur Kunjukrishna Pillai (*Quilon cum Kunnathur*) : I am really delighted to find that what little objection there was, regarding the fundamental question of starting a University for Travancore which has been the ideal of every patriotic Travancorean for the last 25 years, and for the realisation of that cherished ideal the whole country is thankful to Government even that objection has now fizzled out. Even cursed critics are now compelled to admit their failure with regard to the attempt to controvert this desire on the part of the public of Travancore for a University of their own ; and such critics are now pleasing themselves by minor skirmishes such as attacking individuals belonging to the University and making absolutely unsound proposals regarding fundamental questions, connected with the University, which are well-nigh well accepted throughout the world. Sir, this kind of criticism really makes one laugh. It has been said that a Geography Expert has been appointed as also a Marine Biologist and a Dean for oriental art, and that nothing has been brought about by these experts till now. That is the complaint. Anybody who has got any the least idea of a University can only laugh at such criticism ; because you do not expect a University to be found today and to find it full fledged tomorrow, like the magician's mango tree with a fruit on it all on a sudden. Sir, that is not the idea, at least of the educated Travancorean regarding a University. A University is a great institution, an organic institution with a life of its own. It has got to grow slowly.

Mr. G. Narayana Aiyar: How long did it take for the Madras University to become a full fledged University ?

Mr. Kottur Kunjukrishna Pillai: Sir, we all know that. It needs no argument to show that a University cannot be brought into existence in a day. I think no comparison is necessary with Madras or Oxford or any other University to prove that.

Sir, all this criticism, so far as I can see, is made without realising one central fact as to the date when our University came into existence. What is the period for which the Travancore University has been in existence ? Once that central fact, that elementary fact is grasped, I think all this criticism will fall to the ground. As I said, I am really glad to find that there is no criticism as to the necessity for a University for Travancore. I am glad that the only complaint is that it has not been made perfect yet. We cannot help if curious notions are entertained by certain people with regard to the time required for the growth of a University. All the same, I wish the University authorities and the Government will take into consideration this fact, namely, that there is a genuine desire even in quarters which are making very light criticisms on some details of the University, for the development of this University on proper lines. I now feel sure that even people who have been attacking the fundamental question of the need for a University have now given up their case altogether and are now concentrating on Mr. C. V. Chandrasekharan, the Pro Vice-Chancellor, and the pre-historic history of a defalcation in the Science College, and are bringing it forward as a very great objection against the Travancore University which has to stand not merely during the time of Mr. C. V. Chandrasekharan but for ever, for the welfare of Travancore, for the reorganisation of education in Travancore and for the relief of unemployment which in Travancore is of vital importance because many of these criticisms, much of this agitation and all the disgruntled feeling in the country, arise out of the simple and fundamental fact of unemployment. Our University seeks to solve that. I may say, Sir, that the University Regulation itself makes it clear that the greatest attention of the University authorities is to be concentrated on this pivotal question of relief of unemployment. Therefore, in so far as the University succeeds in relieving unemployment, the authorities will be answering the criticisms levelled against the University itself. According to me, sir, there is no need to go into these small criticisms of what the Marine Biologist has done, what Dr. Cousins has done, what Dr. Paramesvaran has done ? You cannot expect a full fledged College or Institute of Technology all on a sudden. As reasonable men you cannot expect the Marine Biologist to show anything to this House like what the Fisheries Superintendent showed

[Mr. Kottur Kunjukrishna Pillai.]

the other day at lunch time. (*Laughter*) That is not what is expected of the Marine Biologist. That is not the idea of a University.

I think, Sir, the University is not a matter to be talked lightly of. We have been yearning for the bringing into existence of that institution that will change the very fabric of life in this State. We should not approach this great problem in any light-hearted mood. As responsible men, we have to ponder over it very seriously before we disparage it and bring it into contempt before the outside world. Any patriotic Travancorean has to think twice, nay a hundred times, before he disparages his University which ought to be his pride, the symbol of the culture of Travancore and the hope of the future welfare of the State. It should not be treated lightly. I for one wish to enter a caveat against the light-hearted criticism of a great institution which ought to be approached with reverence and with humility.

Mr. T. Mahomed Ismail: Sir, I have nothing but admiration for the University especially because it enables the poor people in the land to prosecute their higher studies here itself. If it is imperfect today, it will become perfect in due course.

There is just one particular point which I want to bring to the notice of the authorities. The University has made provision for the study of different languages such as Malayalam, Tamil and Sanskrit, and even French and Latin. But I am really at a loss to find that such an important language as Arabic has not been given any place in the University. Therefore, I think it is my duty to suggest to the authorities the need for giving due place for Arabic in our new University. I request the Government and the University authorities to take up the matter and institute a Chair for Arabic also as early as possible.

Mr. V. S. Arumukham Pillai: How many people are there in the State who speak Arabic?

Mr. T. Mahomed Ismail: All the Muslims of Travancore numbering about 4 lakhs speak Arabic and they cannot but study this language.

Mr. Kochickal P. Balakrishnan Tampi (*Karunagapally, Kartikapalli and Ambalapuzh* cum *Shertallai*): I first oppose the motion. Our University has become a fact; and Mr. Kottur Kunjukrishna Pillai has treated us to a lecture on patriotism and I would be showing myself as wanting in culture if I were to talk anything against the University. He ended with a noble perora-

tion so that I was all along imagining that I was almost feeling his absence on the Government benches. But for the provocation by him, I too would have been content to let bygones as bygones. After all we rushed into the University. Government thought it fit to pursuade H. H. the Maharaja to pass it into a Regulation. At that time it was thought that wonderful things were going to be achieved. Many things were promised. Unbelievers did not believe all that ; but now they are not worse for it. Now that the University has become an accomplished fact, it is rather too late to question its necessity. Although I do not claim patriotism as my refuge, yet, following the lead of Mr. Kottur Kunjukrishna Pillai, I think it is our duty to see that our University becomes something of a success ; because, long after the present office-bearers go out of office, the Travancore University will have to remain, and our children will have to be educated there. By that, nobody should think that I have become a fresh convert to this great atmosphere of this new University all on a sudden. Our money has been spent over it and our children are to be trained in it ; it is therefore not in our interests to speak in disparagement of the University.

But, after all what Mr. Kesavan Nair said was true, although it is not always paying to speak out the truth. He was right when he said that the University has not been doing anything. At one time we were told that there was going to be reorientation and that we were going to have a residential University which would conserve indigenous culture. But I am now glad, Sir, that the Madras University has been copied, and things have not been made much worse than that. I am glad that they did not start courses on motor-body building and toy-making. I am glad their originality did not persuade them to make such innovations or to lower the standards.

Therefore, Sir, as one who is compelled to admire the University in the interests of his own children who have necessarily to be trained in it, I appeal to the non-official members of this House to support it, but never to lose themselves in admiration as my amiable friend Mr. Kottur Kunjukrishna Pillai has.

I must also say, Sir, that the way we, the members of the Finance Committee, were treated by the University authorities was not very commendable. As a member of the Finance Committee, I had occasion to find that the provision for the University was not originally included in the draft budget. The next day, the resourceful Pro-Vice-Chancellor came to us with a Demand for a lump provision for the University. The Finance Committee and this House have to be furnished with full details so that we may know the full financial implications of every scheme we are asked to vote for. We were told of Electrical and other Engineering courses.

[Mr. Kochickal P. Balakrishnan Tampi.]

Then I really congratulate all those who are in places of dignity in the University and I think they will all take into heart to do something real and substantial to this country. We have come to a stage in society in general, and after all through the radio and the newspaper and cheap English instruments we can make use of lectures on art utility.

President: Honourable member has two minutes more.

Mr. Kochikal P. Balakrishnan Tampi: About the utilitarian courses and all that, what we want is that something should be done to really educate our children. I earnestly appeal to the University Department that if you find that it is not a success drop it. Our students can go to the Madras University then. End it like that. There is no shame attached to it. Anyway, do not make our children helpless in the matter of getting University education.

President: Am I to take that the Honourable Member is opposing the scheme. Is it that he wants to drop it.

Mr. Kochikal P. Balakrishnan Tampi: No, if the Government find it not a success we may as well drop the idea.

President: Honourable member will conclude.

Mr. Kochikal P. Balakrishnan Tampi: Sir, could I not speak one minute more?

President: Yes, you have one minute more.

Mr. Kochikal P. Balakrishnan Tampi: I am glad that there was some talk about children being sent elsewhere for education and in that he was taking hint from the speech which I contrib[illegible] in the last budget session. You cannot confine children to a particular college, I am glad that you have sent your children to Madras.

Mr. C. V. Chandrasekharan: Sir, the Honourable Member Mr. Ananthasiva Aiyar suggested that the University should go in for industries and start factories. There is very great difference of opinion in academic circles regarding this question. Whether a University should itself start, organise and run factories on commercial lines, is a very debatable point. I am reminded of the discussion that took place in the All India Inter-University Conference in which this question was much discussed and the great majority of University men came to the conclusion that it is not wise for Universities to start commercial concerns. I am aware however that the Benares Hindu University is trying to do something in that direction. Here, immediately we are starting textile Technology and Textile Chemistry Diploma courses. For the practical

training and for the Apprenticeship courses, we hope to be able to send our students to the mills at Quilon and Alwaye and also to arrange with the Madura Mills to take some students for practical training. For our Engineering courses which we propose to start next year we contemplate the active co-operation of the P. W. D. Workshop. The Workshop will be thoroughly reorganised. There will be a commercial section and also an educational section. The students taking the Engineering courses will get their practical training in the P. W. D. Workshop and there is a proposal that in their 3rd and 4th year they should be given facilities to work in the commercial section and to earn wages for the work that they may do.

To such a limited extent, Sir, it might be possible for the University actively to take part in commercial activities. I do not know whether it would be practical for the University actually to run big commercial concerns. Our aim shall be as the pace of the industrialisation of the country advances to provide suitable courses and train the required number of men for particular industrial concerns. So, the growth and progress of technological education in the University will run *parai passu* with the growth of industries in the country. There is a danger in the University anticipating and starting courses and training people for whom there may not be any adequate opening. So the progress of industrialisation and the progress of industrial education should go hand in hand.

Mr. Ananthasiva Iyer suggested that the number of Professors and Assistant Professors should be reduced. If they have work only for 13 hours a week... ... ..

Mr. M. K. Ananthasiva Aiyar: Sir, I suggested from 10 to 13 hours a week.

Mr. C. V. Chandrasekharan: Yes; in the Madras University the maximum teaching work which could be assigned under the rules is only 14 hours a week. I have been a Professor as well as an administrator and I can honestly tell the House that I have often felt more tired after two hours lecture in the College than after sitting at my desk for five hours a day. If a teacher is worth his salt, and does not merely dictate notes and if he has to shout for two hours before a class of 150 or 200 students, the work may be not less, but more fatiguing, than the work of an adminis trator at his desk.

Mr. K. K. Kuruvilla: Sir, in Oxford and Cambridge the Professors do research work. But, in Travancore, I understand no such work has yet been done by them. May I know the reason for that?

Mr. C. V. Chandrasekharan : That is not a fact. Some of our Professors have done and are doing research work and have won research Degrees. For example in the Science College, ...

Mr. K. K. Kuruvilla : Is there any book that they have published ?

Mr. C. V. Chandrasekharan : They have written papers which have been published in acknowledged scientific journals and if you expect then to do more research work you will have to give them some relief from teaching work.

The suggestion that the teaching institutions now working under the Agricultural and Industrial Departments should be transferred to the University has been taken up by the University authorities and already the Central Technological Institute and the Minor Industries section in the School of Arts have been transferred to the University. There is now a proposal for transferring the research section in the Agricultural department to the control of the University.

Mr. K. R. Elenkath : Sir, may I know the officer under whom the agricultural branch of the University is to work ?

Mr. C. V. Chandrasekharan : The details with regard to personnel have not yet been fixed.

Mr. K. R. Elankath : May I know whether any course of studies in forestry has been proposed ?

Mr. C. V. Chandrasekharan : Not immediately. But there is a proposal under consideration for starting Diploma courses for training Forest Rangers.

Well, Sir, I am afraid I cannot attach much weight or importance to the criticisms my Honourable friend Mr. Kesavan Nair has advanced. I cannot congratulate him on the contribution that he has made.

Mr. Nedumangad R. Kesavan Nair : Sir, I never wanted, his congratulation.

President : But he is entitled not to congratulate you.

Mr. C. V. Chandrasekharan : Sir, I am entitled not only not to congratulate him, but I am entitled to say that his speech is a tissue of misapprehensions, mis-statements and inaccuracies. In fact, Sir, I was staggered by the non-chalance and cocksureness and the abysmal ignorance which Mr. Kesavan Nair has displayed in his speech. It would have been the easiest thing in the world for Mr. Kesavan Nair, if he had any questions to ask with regard to the note which was placed before him, to consult me and obtain full information. He replies to one Honourable Member that the Honours course is necessary for the Engineering course. That is an absurd statement. He says again ....

Mr. Nedumangad R. Kesavan Nair : Sir, is it Parliamentary to call a statement made by an Honourable Member 'absurd'?

President : "Absurd" is not unparliamentary.

Mr. C. V. Chandrasekharan : Sir, he says again that the passing of the intermediate examination is not a qualification for the Engineering course. This is another staggeringly absurd statement.

With regard to the Honours courses in Physics and Chemistry, there is no difficulty about starting them. We could start them at any time. Our Laboratories are well equipped for them. It is because the available funds are required for the new developments that we have not started them. "Without the Honours courses how can we have Research courses" he asks. There are Honours men who have passed out of the Madras University and have applied for Research work in this University. When we drafted our Rules for Research Scholarship and called for applications for Research work, as many as 25 applications were received, and the syndicate at the last meeting selected 8 students for Research work in various scientific subjects. He asks what the Professor of Marine Biology has done? In my note it has been briefly stated. He has started a Research Section. He has admitted two students. He has prepared plans and estimates for the Marine Biology Laboratory and the Acquarium. He is exploring the subject of Pearl Fisheries in our coast and he has placed before the University a scheme for the transport of fish from the coastal areas to the interior of the country.

President : Honourable Member has 5 minutes more.

Mr. C. V. Chandrasekharan : Next, he asks what the specialist in Geography is doing? He is attached to the Training College and he is training 15 students in the teaching of Geography.

Well, Sir, Mr. Kesavan Nair's intemperate language makes me feel that the criticism is not genuine and that it is spurious and artificial and that it is because it was a scheme started by a foreign Dewan, Sir C. P. Ramaswamy Aiyar... ...

President: Order, Order.

Mr. C. V. Chandrasekharan : and a foreigner like me is in charge that any stick is thought good enough to beat the University with.

Mr. K. R. Elenkath : Sir, is it parliamentary to impute motives?

President; The Honourable Member will proceed. The question who started this movement is hardly relevant. It is not necessary now to go into the psychology of this.

Mr. C. V. Chandrasekharan: Sir, I shudder to contemplate the establishment of responsible Government in Travancore.

President: Order, Order.

Mr. Nedumangad R. Kesavan Nair: Sir this is not relevant.

Mr. C. V. Chandrasekharan: The question of responsible Government need not be raised. But when people like Mr. Kesavan Nair, aspiring to be front-rank leaders of the State Congress take up this attitude towards a great national institution. I despair for the future of the country.

Mr. N. V. Chacko: Is he the disciple of the Pro-Vice-Chancellor?

President: Honourable Member will proceed.

Mr. M. Govindan: Is the Pro-Vice-Chancellor a foreigner

President: That is a question of law into which we shall not go now.

Mr. C. V. Chandrasekharan: With regard to Mr. Ismail's point about Arabic, as I said elsewhere, we are waiting for the late Nawab Abdul Hakim's endowment to materialise.

Mr. T. Mohammed Ismail: May I know from the member whether he is waiting for endowments from all other people to institute languages such as Malayalam and Tamil?

Mr. C. V. Chandrasekharan: They are already in existence, Sir.

Mr. T. Mahommed Ismail: If any new language is to be established, is it the people who should give money to Government?

Mr. C. V. Chandrasekharan: That depends upon the merits of each case.

Mr. T. Mahommed Ismail: May I know from the member whether in the case of Arabic, the people who naturally desire that, the Mahomedans, must contribute?

Mr. C. V. Chandrasekharan: Sir, there is no great demand for it. It will certainly facilitate the creation of a Chair for Arabic if there are endowments.

Mr. V. S. Arumukham Pillai: May I know whether Arabic is spoken as largely as Tamil and Malayalam?

Mr. K. R. Elankath: May I know from the member whether the expenditure on a Chair for Arabic and Urdu will be commensurate with the utility?

Mr. C. V. Chandrasekharan: Sir, that is a matter of opinion.

Mr. G. Narayana Aiyar: What about the encouragement to Sanskrit?

Mr. C. V. Chandrasekharan: That is also in the programme of Oriental Studies.

Sir, my honourable and esteemed friend Mr. Balakrishnan Tampi has made a rather sarcastic and humourous speech in the course of which he stated that if you find that the University is not a success, you better wind it up and go back to Madras. I can assure him, Sir, that in spite of the attitude of a certain section of politicians, the University *will* succeed and *is bound to* succeed. The aims and ideals with which it has been started are lofty and high. To say hat we have made wonderful promises and tried to catch people by words is a gross mis-statement and misapprehension.

Mr. T. K. Kittan (*Vaikom Kottayam, and Changanacherry cum Peermade*: മലയാളഭാഷയ്ക്കു അവിടെ സ്ഥാനം ഉണ്ടോ എന്നറിഞ്ഞാൽകൊള്ളാം.

President: The honourable member will proceed.

Mr. C. V. Chandrasekharan: Yes, Sir. There is plenty of scope.

Mr. T. K. Kittan: മലയാള കലകൾക്ക അവിടെ സ്ഥാനം ഉണ്ടോ?

President: The honourable member will proceed.

Mr. C. V. Chandrasekharan: Mr. Kesavan Nair wondered what we have done. If only the University sheet of the Gazette had been glanced at, it could be seen that the whole machinery for the working of the University has been set up, the whole body of statutes has been drafted and passed with the approval of Government and the ordinances are going to be issued—they are ready and in the Press now. The Boards of studies, the Faculties the Syndicate have been constituted and the Senate will be constituted in the course of one or two weeks.

Mr. Nedumangad R. Kesavan Nair: Is it not a copy of the Madras University?

Mr. C. V. Chandrasekharan: No, Sir. The Preamble of the University Regulation explains the aims and objects of the University. And he is an ignoramus, Sir, who says that nothing has been done. To expect quick results is folly. It is only gradually and in course of time as the University grows and develops that its ideals can be attained in some reasonable measure.

President: The question is that Government be granted a sum of Rs. 8 lakhs under Demand X—Travancore University.

The motion was carried and the grant made.

DEMAND XI—GENERAL ADMINISTRATION EXCLUDING FINANCIAL SECRETARIAT, ACCOUNT OFFICE, LEGISLATIVE BODIES AND PUBLIC SERVICE COMMISSIONER—Rs. 2,87,111.

and

DEMAND XII—GENERAL ADMINISTRATION—FINANCIAL SECRETARIAT AND ACCOUNT OFFICE Rs. 2,14,892.

President: Before Demands XI and XII are taken up, I should like to take the sense of the House in one matter. I find from the lists of speakers that have been sent to me that about 16 or 17 speakers want to speak on various matters connected with general administration. As matters at present stand, if Demands Nos. XI and XII are moved separately, the result will be that only about five or six speakers could speak on that subject. But if these two Demands could be combined about ten or twelve speakers can speak. The question before the House for its decision is whether it will allow Demands XI and XII to be discussed together and voted separately. If so, I can give more opportunity for honourable members to speak. But if on the other hand, they will prefer the present arrangement, I will leave it at that. I would like to know what the views of honourable members are.

Mr. Kottoor Kunjukrishna Pillai: They can be taken together.

Mr. K. K. Kuruvilla: We agree to that.

President: Then the procedure will be this. I will ask Mr. Govinda Pillai to move Demand XI and then I will ask Mr. Cherian to move Demand XII. Then the discussion will begin on both the Demands and voting will be separate for each Demand. That procedure will give more opportunity for honourable members to participate in the discussion.

Mr. Govinda Pillai: Sir, I rise to move for a grant of Rs. 2,87,111 under Demand XI—General Admiuinistration, excluding Financial Secretariat, Account Office, Legislative Bodies and Public Service Commissioner.

Mr. K. J. Cherian (*Ag. Financial Secretary to Government*): I rise to move for a grant of Rs. 2,14,892 under Demand XII—General Administration—Financial Secretariat and Account Office.

Mr. G. Narayana Aiyar: Sir, I rise to oppose demand No. XI. It is regrettable that I have to submit that the public confidence in the administration of some of the departments is on the decline. There have been occasions when the administration of the various departments in the State has been said to be ideal and very very satisfactory. There have been instances in which the High Courts in British India and even the Privy Council were following the decisions of our Courts. As an instance I will refer to the decision in 5 T. L. R Hindu Law case. We have heard of encomiums bestowed upon the administration of various departments of the State by very capable statesmen even from outside the State. But now unfortunately the trend of public opinion is not at all satisfactory. The public have taken to entertain serious misgivings about the satisfactory condition of the administration in the various departments. Side by side with that we often hear on the floor of this House various charges levelled against the departments. It has also been made known to the members of this House that official secrets are being disclosed freely. We also hear of inordinate delay in the despatch of work and in the administration of justice. We hear officers being charged with corruption. We hear about every sort of inefficiency or want of proper care and attention in the discharge of the duties of the responsible officers. Sir, I ask the question what all this is due to. Is it want of proper remuneration or want of proper qualification or want of proper care? Sir, it could not be said that I make this statement in any vindictive spirit. I have got the greatest regard for the members of this House who are in charge of the administration of the departments as well as other offices. All the same, this fact has got to be plainly stated that the public have not got the same confidence they had before. I would attribute all this to the want of care in the selection of proper officers. Although effciency has been said to be the chief test in appointing officers in the higher grade it is very doubtful whether that principle was kept in view in the matter of appointments. I can expect a lot of opposition when I say that efficiency should not be allowed to yield to communal representation. I may admit that efficiency is not the monopoly of a particular individual, or a particular community. Sir, I will request Government to put an end to the policy of appointing officers solely on communal principles without any regard to efficiency. Efficiency ought to be the sole test and I will go even to the extent of saying that if efficient people are to be found only in a particular minority community all the members of that community must be appointed and that for the sake of communal representation efficiency should not be sacrificed. Sir, I bring this

[Mr. G. Narayana Aiyar.]

fact to the kind consideration of Government that it is high time that this question is satisfactorily solved and at an early moment so as to avoid further misgivings on the part of the public.

I have also to refer to another circumstance. In the matter of Franchise and Election and re-adjustment of constituencies the system followed here at present is not satisfactory. The present system of single non-transferable vote and franchise are quite unsuited to various communities in the State. After examining the question in great detail British India have adopted a sound system which is equally applicable to us. In this connection, I would submit to the notice of this House Section 15 of the Orders in Council of the Government of India Act of 1935 which says: "Subject to any Express provisions of this order to the contrary, where at an election a poll is taken for the purpose of filling more than one seat a voter shall have as many votes as there are seats to be filled up on the poll and may give all those votes to one candidate, or may distribute them between such candidates and in such manner as he thinks fit.

It can be seen that after deliberate consideration the Government of India Act and the Orders in Council have been passed and they have adopted this as the principle that ought to be followed in every legislature. I would bring it to the kind consideration of Government and submit that it is high time that our system is changed and brought into line with that existing elsewhere or on proper lines.

Then, I should like to make one or two observations in regard to some minor but important matters. It will be known that the Judges in the High Courts in other places are being addressed as Lordships and not as "Your Honours." In our High Court the practice of addressing the Judges as "Your Honours" has to be discontinued and the practice of addressing them as "Your Lordships" ought to be followed.

Another matter is in regard to the use of the term "Vernacular." This term has been said to be a term which cannot be used in the Government communications in British India. It is said the term Vernacular strictly means 'language of devils.' When such a change has been effected elsewhere by up-to-date politicians, I do not see why it should be continued here. So, that also has to be changed.

Coming to one other minor but important matter to which I drew the attention of the Government last year, I think Government have made some modifications in the publication of the Panchangam. In this connection I will submit to the House that we

are not supplied with copies of the Panchangam for 1114 though we are now at the end of Karkadagom 1113. It is not known whether the change made in the preparation of Panchangam is for the better or the worse. I want to draw the attention of the House to the fact that between the Government Directory for 1938 and the Panchangam for 1114 available at the Anchel Offices we see that there is a great deal of difference in regard to the time of sun rise and sunset. In the Directory you see that the time of sun rise is noted at 5'51 A. M., on the 30th of Chingom 1114 while according to the Government Panchangam for 1114 the sun rise is put down at 5'54 A. M., and there is a difference of three minutes. Similarly on many dates we find such difference for instance on 14-2-14, 10-3-14, 16-3-14, 8-4-14, 17-4-14, 15-5 14, 16-5-14, etc., we find such difference in time. This is highly objectionable. On certain days the muhurtam fixed in the Panchangam lasts only for 1/4 of a naliga. Take for instance the marriage muhurtam on 27-1-14 lasts only for 1/4 of a naliga which is equivalent to 6 minutes. If we calculate the time as per the sunrise as stated in the Directory we will be out of time as per the Panchangam. This is anomalous and a source of much pain to those who believe in Joyotisham and want to conduct ceremonies on auspicious moments.

Mr. N. V. Chacko: May I know whether both the Directory and the Panchangam cannot be correct since they refer to the whole of Travancore?

Mr. G. Narayana Aiyar: How can that be?

Mr. N. V. Chacko: Can it not be the fact that the Directory is referred to in one place and the Panchangom in another?

Mr. G. Narayana Aiyar: But I fail to see how such a mistake could be permitted to appear in 2 simultaneous and so-called authoritative documents published under the authority of Government and which are considered to be authorities by the outside public also. How can there be such a difference in "Sunrise." I thought that after my suggestions of last year, some definite improvement will be made in the publication of Panchangom and Directory. Sorry to say that instead of improvement we find serious mistakes. I request the Government to pay sufficient attention and remove the defects.

Mr. C. N. Thuppan Namboodirippad: (*Travancore Jenmies.*) പഞ്ചാംഗത്തിൽ ആഴ്ചയും ഞായതായും ഇല്ലയൊ?

Mr. G. Narayana Aiyar: അതു രണ്ടുമുണ്ട്.

Mr. C. N. Thuppan Namboodirippad: അതിൽ കൂടുതലായി വല്ലതും വേണമൊ?

Mr. G. Narayana Aiyar : മുഹൂർത്തം അറിയണമെങ്കിൽ സൂര്യോദയത്തിന്റെ സമയംകൂടി അറിയേണ്ടതാണല്ലോ.

Mr. C. N. Thuppan Namboodirippad : മുഹൂർത്തം ഇല്ലന്നുവച്ച് കാര്യങ്ങൾ ഒന്നും നടക്കുകയില്ലാ എന്നുണ്ടോ?

Mr. M. Govindan : May I know whether it would not be advisable to have some more data in the matter of casting horoscopes?

Mr. G. Narayana Aiyar : For that matter, the publications are misleading.

All that I want to suggest is that there should not be any inconsistency in Government publications, because they are intended for public reference and following. I request Government to look into the matter and do the needful.

Mr. M. S. Anirudhan (*Karunagapally, Kartikapally and Ambalapuzha* cum *Shertallai*) : Sir, I oppose the Demand. My object in opposing this Demand is to point out the inadequacy of representation of certain communities in the Secretariat and to suggest the desirability of reorganising the Secretariat so that, all important communities representing various interests may have adequate representation there.

Mr. M. K. Ananthsiva Aiyar : Is it the member's view that the claims of minority communities are to be overlooked?

Mr. M. S. Anirudhan : As far as possible, all important communities should be given representation in the Secretariat. The Secretariat is the most important institution of Government in the State. The whole policy of administration of the State is suggested, moulded and enforced from the Secretariat. The recommendations sent up by the Departmental Heads are scrutinised and moulded by the staff in the Secretariat. In the matter of moulding, much may be done by the staff in the Secretariat. It is not unusual that communal predilictions of the staff in the Secretariat are also imprinted in the policy that is shaped and brought out from the Secretariat. Therefore, in a society where the people are divided into water-tight compartments, where there is not much scope for nationalism and other things, in a society where people may not be able to live beyond the limits of communal tendencies, it is high time that an institution like the Secretariat is reorganised so that all the important sections of the society are represented there in the interests and the common good of the people. If you take a copy of the latest Civil List, you will be shocked to find from the first 28 pages of it the various names of officers. Among

that long list you find one solitary name from the Ezhava community, himself is at the very fag end of his service. Going through the names, you will be convinced that it is a close preserve for the over-represented communities. It is high time that such a thing is put a stop to, so that all communities are adequately represented to safeguard their respective interests. For a good and efficient administration, in fairness to all communities, it is nothing but fair that the Secretariat is reorganised in such a way so that the long standing grievance of the poorly represented communities may be rectified.

Mr. Padiyara Joseph Kunju : വർഗ്ഗീയപ്രാതിനിധ്യവാദികളുടെ വാദം ഇപ്പോൾ അബദ്ധമാണെന്ന് പറഞ്ഞുതുടങ്ങിയിട്ടുണ്ടെന്ന് മെമ്പറിനറിയാമോ?

Mr. M. S. Anirudhan : I know, there are people of the opposite view also.

Mr. Padiyara Joseph Kunju: അവരിൽ പലരും ഇപ്പോൾ വർഗ്ഗീയപ്രാതിനിധ്യവിരോധികളായി രൂപാന്തരപ്പെട്ടിട്ടുണ്ടോ?

Mr. M. S. Anirudhan : I do not think so.

As I said a while ago there is only one Ezhava in the Secretariat. That important community is the most unrepresented in the Secretariat. There is only one solitary individual as I said at the beginning, in the whole of Secretariat and Account Office. There is no Secretary or Assistant Secretary or Superintendent or higher grade clerks from the Ezhava community in the Secretariat or for that matter no Ezhava in the Account Office. I appeal to you Sir, that immediate steps may be taken to reorganise the Secretariat so that communities like the Ezhavas and other unrepresented communities may be given adequate representation there.

Mr. Kochikal P. Balakrishnan Tampi : Sir, I rise to oppose the Demand. In doing so, I wish to draw the attention of Government to some of the administrative mistakes that have been committed during the year. First I draw the attention of Government to the prosecution that had been unnecessarily launched against one of our respected leaders and the policy of repression now existing in the country. District Magistrates are prohibiting public meetings, freedom of association and freedom of speech. There is regular suppression so to say. In this matter, there has been an unanimity of public opinion that the Government are acting in a wrong way. For the first time, a political party has been organised in the State. All sorts of opposition are placed in the working of the party, to which I have the honour to belong, and

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that party is characterised as disloyal and subversive. After all, hard words do not break bones. We know the limits of law. We have sufficient legal talent to understand what is disloyal and what is loyal. We know that loyalty does not mean submission of any member of the State Council to the Dewan or to any member of Government. We know what it is and after all we cannot be dubbed with those charges unnecessarily. If the Government mean that we are school boys and that we could be frightened by such phrases, then they are grossly mistaken.

This time, last year, I was saying that Government may think of granting some form of responsible Government, without making any great change in the Statute. But again, my mind goes back to the mistake in Jyothisham referred to by my friend Mr. Narayana Iyer, I found that there is some change of time, some sort of mistake in the Muhurtam, that Government, instead of accepting our request, are bent upon insulting our leaders and incarcerating them. That is happening. In one sense I have to be grateful to this Government. Never before in this country have all the political conscience of the people united in their demand for responsible Government Certain organisations that were ostensibly working against the State Congress, even they, are united in their demand for responsible Government. Whatever their personal predilictions may be against some leading members of that party, they are united in their demand for responsible Government. I do not want to turn this meeting into a propagandist one for the State Congress. Perhaps today I can indulge in some sort of propaganda work at this juncture, for the State Congress. But the meetings are banned throughout the State. I refer to the State Congress and their activities just to draw the attention of Government to the fact that repression will always sow the seed of revolution. Today the Government say that members of the State Congress are disloyal and seditious in their activities. I am afraid a time is sure to come when these people will really become disloyal and seditious. I appeal to Government to see that this movement is not unnecessarily repressed, but is guided in the proper manner so that the future may not have things not quite relishable.

Mr. Padiyara Joseph Kunju : സ്റ്റേററു കാൺഗ്രസ്സുകാർ മററുള്ളവരുടെ തലമണ്ട അടിച്ചു പൊട്ടിക്കുന്നതായിട്ട് മെമ്പറിനറിയാമൊ?

Mr. Kochickkal P. Balakrishnan Tampi: I am tired of answering such questions that were used to be raised in some of the State Congress meetings organised by the public. Representations have been made to the Police Commissioner. But I

request the Chair that I may be protected from the distractions of such gentlemen whose questions do not deserve any answer at all.

President: If the honourable member does not yield his place, he need not answer those questions.

Mr. Kottur Kunjukrishna Pillai: On a point of order, Sir. Under Rule 28, is it open to the honourable member to cast reflections on the conduct of another honourable member?

President: Will the honourable member please state what the words used by the speaker were?

Mr. Kottur Kunjukrishna Pillai: He said certain things about Mr. Joseph Kunju.

President: All that the honourable member said was, he was tired of answering certain interruptions from some honourable members. And I said that if the honourable member does not yield his place, he need not answer them.

Mr. Kochikkal P. Balakrishnan Tampi: If the Government want to retain the confidence and goodwill of the vast body of citizens of the State, it is high time that all the repressive measures should be withdrawn by Government. Every Government will have a number of supporters. A new sheep will be coming in so to say. There may be many contracts between the Government and the parties concerned. I do not want to attribute motives. There may be some puduvals set apart in certain reserve areas. There may be cousins and brothers for whom appointments might have been promised and such other things. (Mr. Kottur Kunjukrishna Pillai: Hear, hear.) I am glad that my friend acclaims it. But so long as these things are available, it will not be difficult for any Government to find a few supporters. But really speaking, what I want to know is, whether the Government can get that measure of support for carrying on the policy of repression from any considerable section of the population—ofcourse barring the State Congress—or, from any section of the public that was referred to by my honourable friend Mr. Kesavan Nair in some other connection. I only leave the point there.

I shall speak a word about certain appointments given to some persons. I do not propose to drag in personalities. I do not want to discuss the present policy of Government in shunting out an officer so easily. Anyhow, it does affect the efficiency of administration. Now, an officer of Government who was Port Officer for two months, becomes a Police Commissioner, then a Professor of History for another two months will become another officer of Government and so forth. There is no inducement for any officer to specialise in any department so that he may have a complete grip of the department he is administering.

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If the officers are made to understand that they would be in charge of particular departments for such and such a period they will try to study topics and the working of the department so that eventually they will be useful to give correct advise to the Government.

President: The honourable member has three minutes more.

Mr. Kochikal P. Balakrishnan Tampi: I wish to draw the attention of the Government to another unfair way in which we have been treated by the Government. Two or three officers have been appointed without consulting the Finance Committee and without a regular vote of this House. I do not say that they are very big appointments. Appointments, carrying Rs. 200 or Rs. 550 may not be big appointments, like the under-graduate gentleman, with the photographic knowledge who has been appointed and the Horticultural friend whose term of office was extended for one more year and then the other officer who came to reorganise the scout movements. These appointments were turned out by the Finance Committee. They were appointed without consulting this House. Now Government cannot say that these men were got down because there were no proper candidates in Travancore. Such attempts on the part of the Government should certainly be discouraged. No representative of this House or the representative of any party has ever said anything against the importation of competent non-Travancoreans. If for the sake of chauffier, the Driver, or the newspaper boy.........

President: The honourable member will withdraw the expression "Newspaper boy."

Mr. Kochikal P. Balakrishnan Tampi: This newspaper man......

President: The honourable member will withdraw the expression.

Mr. Kochikal P. Balakrishnan Tampi: The particular word 'Boy.'

President: 'Newspaper Boy'.

Mr. Kochikal P. Balakrishnan Tampi: Yes Sir, I never wanted to use that word.

President: But he did it.

Mr. Kochikal P. Balakrishnan Tampi: It is very unnatural that in a land where there are so many B. As., and B. Ls., and very highly qualified people working as Conductors in Transport buses, in such a land unqualified people are given Rs. 200 and 300 as pay. It is no wonder there will certainly be resentment in this land. That practice ought certainly be put a stop to.

The most important constitutional question that I have to deal is under the head of certification by the Government. For the information of this House I can say that several Indian Statesmen preside over the administration in other Indian States. Sir Shunmugam Chetty could say to the Cochin State that during three years he had no occassion to certify even a single pie. In that particular matter it would be good for this State to follow that example and see that no item of expenditure is certified as in the manner it has been done by this Goverument.

Mr. Padiyara Joseph Kunju : സർ, ഒരു മനുഷ്യന് ഒരു ധനാഭ്യർത്ഥനയെ എത്ര ശക്തിമത്തായി എതിർക്കാമൊ അത്രയും ശക്തിയോടുകൂടി ഞാൻ ഇതിനെ എതിർത്തുകൊള്ളുന്നു. ഒരു പ്രജ ഒരു ഗവണ്മെൻറിൽനിന്നും ഏററവും കൂടുതലായി ആശിക്കുന്നതു് അവൻെറ ശരീരവും ധനവും സംബന്ധിച്ച സുരക്ഷിതാവസ്ഥയായിരിക്കുമെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല. അങ്ങിനെയുള്ള ഒരു നില ഇന്നു തിരുവിതാംകൂറിൽ ഉണ്ടോ എന്നാണു മി. ബാലകൃഷ്ണൻതമ്പിയോടൊന്നിച്ചു് ഞാനും ചോദിക്കുന്നതു്. എന്നാൽ മി: തമ്പിയുടെ കൂട്ടക്ക് ഉണ്ടെന്നു വ്യാജമായി പറയപ്പെടുന്ന രീതിയിൽ ഉള്ള അരക്ഷിതാവസ്ഥയെപ്പററിയല്ലാ ഞാൻ പറയുന്നതു്. അതു എന്നെപ്പോലെയുള്ള ആളുകളുടെ അരക്ഷിതാവസ്ഥയെപ്പററിയാണ്. സർ, തിരുവിതാംകൂറിൽ ചില പുതിയ സംഘങ്ങളും, ചില പുതിയ സംഘടനകളും ചില പുതിയ പ്രസ്ഥാനങ്ങളും ചില ആദർശങ്ങളെ മുൻനിറുത്തി ഉണ്ടായിട്ടുണ്ട്. ഈ പ്രസ്ഥാനങ്ങളെല്ലാം നല്ല ആദർശത്തോടുകൂടി ഉണ്ടാക്കീട്ടുള്ളതാണെന്നു പറയപ്പെടുന്നുണ്ടെങ്കിലും വാസ്തവത്തിൽ അങ്ങനെയല്ലെന്നും, അവ കേവലം ഭീകരപ്രസ്ഥാനങ്ങളും വിപ്ലവസംഘങ്ങളുമാണെന്നും പ്രസ്താവിക്കുന്നതിൽ അശേഷം അബദ്ധമില്ല.

Mr. R V. Thomas : May I know which are those onganisations?

President : The Honourable member may go on.

Mr. Padiyara Joseph kunju : ഇവിടത്തെ സ്റ്റേററു കാൺഗ്രസ്സാണു് അതിലൊന്ന്.

Mr. R. V. Thomas : May I know which is another?

Mr. Padiyara Joseph kunju : അതാണു് പ്രധാനമായിട്ടുള്ളതു്.

Mr. N. V. Chacko : മറേറതു തിരുവിതാംകൂർ നാഷനൽ കാൺഗ്രസ്സാണൊ?

Mr. Padiyara Joseph kunju : അല്ല.

Mr. K. M. Korah : (*Vaikom, Kottayam and Changanacherry cum Peermade*) May I know why the State Congress is revolutionary?

Mr. Padiyara Joseph kunju : അവരുടെ കാര്യപരിപാടികളും പ്രവർത്തനങ്ങളും അങ്ങിനെ ആയതുകൊണ്ട്.

Mr. K. M. Korah : Can the honourable member quote any instance?

Mr. Padiyara Joseph kunju : അവരുടെ പ്രവർത്തനങ്ങളെല്ലാം ജനങ്ങളെ ഒരുതരത്തിൽ അല്ലെങ്കിൽ മറെറാരുതരത്തിൽ.........

President : Only one honourable member must be on his legs at one time.

Mr. Padiyara Joseph kunju : സർ, ബഡ്ജററിൻെറ പൊതു വിമർശനവേളയിൽ, ഏററവും ശരിയായി ഞാൻ പ്രസ്താവിച്ചതുപോലെ, ഒരു ഗവർമെൻറിൻെറ ചുമതല ഏതെങ്കിലും ഒരു പ്രസ്ഥാനം തെററായിട്ടുള്ളതാണൊ ശരിയായിട്ടുള്ളതാണോ എന്ന് മനസ്സിലാക്കി ശരിയായിട്ടുള്ളതാണെങ്കിൽ അതിനെ പ്രോത്സാഹിപ്പിക്കുകയും തെററായിട്ടുള്ളതാണെങ്കിൽ അതിനെ അമർത്തുകയും ചെയ്യുക എന്നുള്ളതാണ്. ഗവർമെൻറു ഒരു പ്രസ്ഥാനം അരാജകമാണ്, വിധ്വംസകമാണ് എന്നെല്ലാം പറഞ്ഞിട്ട ചിലപ്പോൾ അവരുമായി രാജി ആലോചിക്കുവാൻ സന്നദ്ധമാകുകയും അവരെ കൈമാടി വിളിക്കുകയും ചെയ്യുന്നതു്, വാസ്തവത്തിൽ, ആ പ്രസ്ഥാനത്തെ വളർത്തുന്നതിനും അതിൻെറ കർത്താക്കൾക്കു പ്രോത്സാഹനം നൽകുന്നതിനും അതിൻെറ വിരോധികൾക്കു നിരാശ നൽകുന്നതിനും മാത്രമേ പ്രയോജകീഭവിക്കുകയുള്ളു.

Mr. K. R. Elankath : സ്റേററു കാൺഗ്രസുകാരു ഗവൺമെൻറുമായി രാജി ആലോചനയുണ്ടെന്നു മെമ്പർക്ക് എങ്ങനെ അറിയാം?

Mr. Padiyara Joseph kunju : ഞാൻ അതേപ്പററി പ്രസ്താവിക്കുവാൻ പോകുകയാണ്. ഗവർമെൻറും ഈ പ്രസ്ഥാനക്കാരുമായി ചില എഴുത്തുകുത്തുകൾ നടത്തുന്നുണ്ടെന്ന് ഞാൻ ഈയിടെ പത്രങ്ങളിൽ വായിക്കയുണ്ടായി. ഗവർമെൻറുതന്നെ ഓരോ സന്ദർഭത്തിൽ "ഡിസ്‌ലായൽ" എന്നും "സബ്‌വേഴ്‌സീവ്" എന്നും മററും പറഞ്ഞു കുററപ്പെടുത്തുന്ന ഒരു പ്രസ്ഥാനക്കാരെ രാജി ആലോചിക്കുവാൻവേണ്ടി അടുക്കൽ വിളിക്കുന്നതു കാണുമ്പോൾ അതു യഥാർത്ഥരാജ്യസ്നേഹികൾക്കു മനഃക്ലേശകമായിത്തീരുന്നു.

President : What is the honourable member referring to?

Mr. Padiyara Joseph kunju : ഈയിടെ, മി: ജി. രാമചന്ദ്രൻ

എന്നൊരാൾ പുറപ്പെടുവിച്ച ഒരു പ്രസ്താവനയിൽ തിരുവിതാംകൂർ ഗവർമെൻറും സ്റ്റേററു കാൺഗ്രസുമായി ഏതൊ ചില എഴുത്തുകുത്തുകൾ നടക്കുന്നുണ്ടെന്നും എന്നാൽ മഹാത്മാ ഗാന്ധിയുടെ നിർദ്ദേശാനുസരണം അതു ഇപ്പോൾ പ്രസിദ്ധപ്പെടുത്തുവാൻ വിചാരിക്കുന്നില്ലെന്നും പറഞ്ഞിരിക്കുന്നതായി കാണുന്നു.

Mr. N. V. Chacko : അപ്പോൾ മെമ്പർ പറയുന്നതു മഹാത്മാ ഗാന്ധിയുടെ നിർദ്ദേശം അനുസരിച്ചാണ് ഗവർമെൻറും ഇതു പ്രസിദ്ധപ്പെടുത്താതിരിക്കുന്നതു എന്നാണൊ?

Mr. Padiyara Joseph kunju : എന്നു ഞാൻ പറഞ്ഞില്ല. മെമ്പർക്ക് മലയാളഭാഷ അറിയാമായിരുന്നെങ്കിൽ ഈ ചോദ്യത്തിന്റെ ആവശ്യം ഉണ്ടാകുമായിരുന്നില്ല.

ഇന്ന് തിരുവിതാംകൂർ ഗവർമെൻറു സ്റ്റേററു കാൺഗ്രസുകാരെ ഭയന്നിരിക്കുകയാണു, ഇന്നല്ലെങ്കിൽ നാളെ, ഉത്തരവാദിത്വഭരണം തന്നു തന്നെ തീരും. എന്നെല്ലാം സാധുക്കളെ പറഞ്ഞു മെരട്ടിക്കൊണ്ടു നടക്കുകയാണ് ഇപ്പോൾ സ്റ്റേററുകാൺഗ്രസുകാർ ചെയ്യുന്നത്. സർ, ഉത്തരവാദഭരണത്തിനു ആരും തന്നെ എതിരല്ല. മഹാരാജാവു തിരുമേനി ഉത്തരവാദിത്വഭരണം നൽകുന്നെങ്കിൽ അതു സ്വീകരിക്കുന്നതിനു ഞങ്ങൾ തയ്യാറാണു. എന്നാൽ വെറും വർഗ്ഗീയവാദികളായി മിന്നഞ്ഞാനുവരെ കഴിഞ്ഞകൂട്ടർ ഇന്നു ദേശീയവാദികളായി രൂപാന്തരപ്പെട്ടിരിക്കുന്നതു കാണുമ്പോൾ മററുള്ളവർ അതിൽ സംശയാലുക്കളായിത്തീരുന്നുണ്ടെങ്കിൽ അവരെ കുററപ്പെടുത്തുവാൻ നിവൃത്തിയില്ലല്ലൊ.

Mr. N. V. Chacko : വർഗ്ഗീയവാദികൾ ദേശീയവാദികളായിത്തീരുന്നതിനു വല്ല കാലപരിധിയും ആവശ്യമുണ്ടോ?

Mr. Padiyara Joseph Kunju : എങ്കിലും ഇന്നലെവരെ വർഗ്ഗീയവാദികളായി നടന്ന ആളുകൾ ഇന്നു പൊട്ടുന്നനവെ ദേശീയവാദികളായിത്തീരുന്നതിൽ സംശയത്തിനു വകയുണ്ട്.

Mr. R. V. Thomas : Sir, ...

President : He has not yielded his place.

Mr. Padiyara Joseph Kunju : വെറും ദുഷ്പ്രചരണങ്ങൾ, കള്ളവുകൾ, വ്യാജവാർത്തകൾ, എന്നിവകൊണ്ടാണ് ഈ പ്രസ്ഥാനം അവർ വളർത്തിക്കൊണ്ടുപോകുന്നതു. ഞാൻ മഹാത്മാഗാന്ധിയുടെ ആളാണു, അബ്ദുല്ലാഗാന്ധിയുടെ ആളാണ്, മഹാത്മാഗാന്ധിയുമായി ബന്ധനത്തിൽ ഏർപ്പെടാൻ പോകുന്ന ആളാണ് ഞാൻ പറഞ്ഞാൽ മഹാത്മാഗാന്ധി എന്തും കേൾക്കും എന്തും ചെയ്യും എന്നെല്ലാം പറഞ്ഞു

[Mr. Padiyara Joseph Kunju.]

ആളുകളെ മെരട്ടിക്കൊണ്ടു നടക്കുന്നവരും ഇക്കൂട്ടരിൽ ഉണ്ട്. സർ, മഹാത്മജി ഇങ്ങനെയുള്ള ബന്ധുക്കൾ പറയുന്നതെല്ലാം കേൾക്കുകയും അനുസരിക്കുകയും ചെയ്യുന്ന ആളല്ലെന്നാണ് ഞാൻ മനസ്സിലാക്കിയിട്ടുള്ളത്. ഞാൻ ഈ പറഞ്ഞതെല്ലാം ഞങ്ങൾക്കു നേരിട്ടനുഭവമുള്ള കാര്യങ്ങളാണ്. ഈ ഘട്ടത്തിൽ ഗവർമെൻറു എന്തുചെയ്യുന്നു എന്നാണ് എന്നെപ്പോലെയുള്ളവർ നോക്കിക്കൊണ്ടിരിക്കുന്നത്. സർ, ഇന്നലെ മി. ഏ. ഈശ്വരപിള്ളയും മി. സുൽത്താൻ മൈതീനും ഞാനുംകൂടി ഇരിക്കുന്ന സന്ദർഭത്തിൽ ഞങ്ങളുടെ കൂടെയുണ്ടായിരുന്ന ഒരു അസംബ്ളി മെമ്പർ ഞങ്ങളോടു പറഞ്ഞതു് "എനിക്കു ഈ സ്റ്റേറ്റുകാൺഗ്രസനോടു യാതൊരനുഭാവവുമില്ല. പക്ഷെ, നെയ്യാററിങ്കര കടന്നു വേണം സ്വദേശത്തേയ്ക്കു പോകേണ്ടതു്. സ്റ്റേറ്റുകോൺഗ്രസ്സിൽ ചേർന്നില്ലെങ്കിൽ നെയ്യാററിങ്കരക്കൂടി പോകുന്നതിനു നിവൃത്തിയില്ല. അവർ കല്ലെറിയും" എന്നാണ്.

Mr. N. V. Chacko : മററുള്ള സ്ഥലത്തുകൂടി പോകുന്നതിനു ആ മെമ്പറിനു വിഷമമുണ്ടോ?

President : The honourable member will proceed.

Mr. Padiyara Joseph Kunju : അതുപോലെ, എൻെറ ബഹുമാന്യസ്നേഹിതനും ഈ രാജ്യത്തെ ഒരു ഉത്തമപൌരനും ഈ നിയമസഭയുടെ പിതാവെന്നു പറയപ്പെടാവുന്ന ദേഹവുമായ മി. തയ്യിൽകുഞ്ഞിത്തൊമ്മന് വെളിയിൽ ഇറങ്ങി നടക്കാൻ പാടില്ല എന്നു അദ്ദേഹം എന്നോടു പറകയുണ്ടായി. എൻെറ മറെറാരു സ്നേഹിതനും, ഏററവും യോഗ്യനെന്നു സർവരാലും സമ്മതിക്കപ്പെട്ടിരിക്കുന്ന ആളുമായ വൈക്കം മി. രാമകൃഷ്ണപിള്ളയും മി. ഈ സുബ്രഹ്മണ്യയ്യരും ഒരുമിച്ചു വണ്ടിയിൽ പോകുമ്പോൾ ഏതാനുംപേർ അവരെ കൂക്കിവിളിക്കയും ഗർദ്ദഭങ്ങൾ എന്നും മററും വിളിച്ചു ആക്ഷേപിക്കുകയും ചെയ്തു. ഇതുപോലെയുള്ള മറെറാരു അക്രമത്തെ സംബന്ധിച്ചു് ഒരു അടിയന്തിരപ്രമേയം ഇന്നലെ ഞാൻ ഹാജരാക്കിയിരുന്നു. എന്നാൽ നിർഭാഗ്യവശാൽ അതിനെപ്പററി വാദപ്രതിവാദം ചെയ്യാനുള്ള അവസരം ഉണ്ടായില്ല. അവസരം ഉണ്ടായിരുന്നുവെങ്കിൽ അതിൻെറ സ്വഭാവം ഏതു രൂപത്തിലുള്ളതായിരുന്നു എന്നു ഞാൻ കാണിച്ചുതരുമായിരുന്നു. ഗവർമെൻറു ഇങ്ങനെ ഇവരെ അഴിച്ചുവിടുവാനാണ് ഭാവമെങ്കിൽ, എന്തെല്ലാമാണ് തിരുവിതാംകൂറിൽ ഉണ്ടാകാൻ പോകുന്നതെന്നു് എനിക്കു നിശ്ചയമില്ല. ശക്തമായ ഒരു നയം ഈ അവസരത്തിൽ ഗവർമെൻറു കൈക്കൊള്ളണമെന്നുള്ള

തിൽ രണ്ടുപക്ഷമില്ല. ഒന്നുകിൽ തിരുവിതാംകൂർ ഗവർമെന്റു സ്റ്റേറ്റുകാൺഗ്രസ്സുകാരുടെ വാദങ്ങളെ അനുവദിച്ചു കൊടുക്കണം; അല്ലെങ്കിൽ അവർ കാട്ടിക്കൂട്ടുന്ന ആഭാസകോലാഹലങ്ങളെ അമർച്ച ചെയ്യണം. അവരെ അമർത്തുവാൻ ഇന്നത്തെ ഗവർമെന്റിന് ശക്തിയില്ലെങ്കിൽ അവരെ ഭരണമേല്പിക്കുകയാണ് വേണ്ടത്. അവരെ അമർച്ച ചെയ്യുന്നതിനു ഇന്നത്തെ ഗവർമെന്റു തയ്യാറാകാത്തപക്ഷം ഭരണം അവരെ ഏല്പിക്കുകയാണ് വേണ്ടത്. ഈ അക്രമികളുടെ ഭരണത്തിൻ കീഴിലിരിക്കുന്നതിനു തിരുവിതാംകൂറിലെ ബഹുഭൂരിപക്ഷം ആഗ്രഹിക്കുന്നില്ല. അതുകൊണ്ട് തിരുവിതാംകൂർ രാജ്യത്തെപ്പററിയോ തിരുവിതാംകൂർ നിവാസികളെപ്പററിയോ ഗവർമെന്റിനു വല്ല കാരുണ്യവുമുണ്ടെങ്കിൽ ഏതുതരത്തിലെങ്കിലും ഇവരെ അമർച്ചചെയ്തു ഈ നാട്ടിൽ സമാധാനവും സംതൃപ്തിയും സംസ്ഥാപിക്കണമെന്നാണ് എനിക്കു ഗവർമെന്റിനോടു അഭ്യർത്ഥിക്കാനുള്ളതു്.

Mr. M. Govindan: Sir, I support the demand in regard to General Administration. What I have to say in connection with this Demand is that the principle of recruitment followed may be put into force so that all communities may be more or less satisfied. When I was listening to the speech of Mr. Kottoor Kunjukrishna Pillai on the first day of the discussion of the budget I thought he was giving his remarks in his usual reasonable manner. But when he came to the end of the discussion I was wondering why he was saying like that. He said that all the trouble in the country was due to the practice adopted for election, for the sake of satisfying certain communities, by adopting the single non-transferable vote. I thought Mr. Kunjukrishna Pillai had more insight into matters than what he described when he diagonised the present disease in this fashion. The fact is that if there is anything which satisfies the public in the matter of election it is the means that has been adopted under the advice of one of our ablest lawyers in this country.

By giving the single non-transferable vote whenever they have a representation in the House of the Ezhava or the Latin Christian Community, there can be a genuine Ezhava or Latin Christian representation. If on the other hand you resort to plural voting, you will have puppets here. But there will be no real representation. Therefore, in the interests of all the communities don't change the system of voting. I don't feel that there is any communal acrimony in this House. The difficulty is not so much

[Mr. M. Govindan]

communal acrimony as other things. Though we are having communal representations in both the Houses that the single non-transferable voting system is acceptable to all, is quite clear from the fact that there is no serious opposition from any quarters regarding this.

Mr. Kottur Kunjukrishna Pillai: May I know from the member whether he is aware that some Mahomedans and certain Ezhavas are themselves opposing this single non-transferable voting system?

Mr. M. Govindan: Some Mahomedans! That logical 'some' may include one. I am not enamoured of these 'some.' My impresssion is that it is generally satisfactory and even the Congress party who are all against the communal representation are also satisfied. My impression is that in this country, where we cannot ignore the fact that the society is cut up into commuities (these communities are not placed on the same footing there are some advantageously circumstanced and others in deplorable condition) the wise statesmanship lies in seeing that those who are in very low condition are brought to the level of the others. That is all what I have to say.

Mr. K. M. Korah: Sir, I oppose the demand. In doing so I wish to draw the attention of the House to certain important facts. It is admitted that historically and by our character and capacity for education and discipline our State and we the people of this State have justified our claim to be ranked among the most forward in India. Sir, Travancore with her education and enlightenment should be compared in respect of her constitution not with the other Indian States but with the British Indian Provinces. In such an enlightened and progressive country as ours, the agitation for responsible Government is only reasonable and inevitable. But what do we find when the State Congress started an agitation for responsible Government. A policy of repression and suppression of civil liberties. Even before a single meeting was held or called even before a single platform was availed of, prohibitary orders were passed. One can imagine the freedom of speech and of public meetings existing and thriving under such circumstances. After all, what is it that the State Congress people had done? There is a general impression that when any particular cause is not to the liking of certain officers immediately the District Magistrate concerned will reliably be informed that the meeting if allowed to be held will cause breach of peace. And what are the reasons they allege? It is the existence of an opposite party and the likelihood of breach of peace. It is surprising that the authorities do not see

the unreasonableness of this argument. I am asking you Sir, who is this opposite party to the State Congress if they cannot check the aggression and protect the law abiding (what are they for? I may respectfully submit that this is an abuse of legal process.

Coming now to the question of loyalty, it is a thing Sir, of which every Travancorean is proud of. As a matter of fact, is there any Travancorean who in word, thought or action or even dream capable of doing anything against His Highness the Maharaja. It is an impossibility and I may assure you that no body need preach loyalty to a born Travancorean. It is most discouraging that even officers take courage to characterise certain people as disloyal and subversive. I am asking most respectfully; are they authorised to call this party as disloyal and subversive? Is it right for them to make that pronouncement? It is most discouraging. As for me, I cannot imagine for a moment that there is any body in Travancore who is disloyal. In another place the Chief Secretary characterised this party as disloyal and subversive. But here the Government Secretary who reiterated that statement was good enough to give reasons. I am asking the Director of Information whether it was the State Congress people who were responsible for the leading article published in the Madras Mail recently about the interpretation of disloyalty. The State Congress had nothing to do with it. Every day we find some sort of interpretation being given to the disloyalty question. It was suggested that the State Congress was responsible for the so-called run on the Anchal Savings Bank. Sir, I repudiate it with all the force that I can command. The State Congress had absolutely nothing to do with it. Except for the cooked C. I. D. report I am sure that there is not a single evidence to show that the State Congress was responsible for it. Incidently I may also draw the attention of the Government, in another important fact. It appears that one Lebba at Kayankulam was seriously handled by somebody there and it was suggested that the State Congress was responsible for it. (What a strange interpretation.

Mr. Puthupally S. Krishna Pillai: May I know what he means by the State Congress?

Mr. K. M. Korah: My honourable friend may look into the publications published by the State Congress. I have very little time at my disposal to detail all that.

President: You need not yield your place; you can go on without bothering yourself.

Mr. Puthupally S. Krishna Pillai: As a matter of personal explanation, I put the question to the honourable member. He has stated that the State Congress is not responsible for any kind of adverse criticism so far as concerning the Government or the run on the Anchal Savings Bank.

President: The honourable member replied apparently that there is a document which will show what he means.

Mr. K. M. Korah: Three or four days back the Secretary stated that two of the high officials belonging to the Judicial Department were punished.

Mr. M. Govinda Pillai: I said that they were punished for unsatisfactory work.

Mr. Puthupally S. Krishna Pillai: On a point of order. What is said outside the House is not the subject matter for discussion in the House.

President: Mr. Korah is referring to Mr. Govinda Pillai's answer regarding Judicial officers. He is perfectly in order.

Mr. K. M. Korah: The Government Secretary stated that certain high officers belonging to the Judicial Department were punished on account of their unsatisfactory work. I am asking the House whether on this account, it can be said that the whole Travancore Judiciary is doing unsatisfactory work? Is there any statement made by the State Congress which is disloyal or subversive? If any member—I do not grant even that—has done any thing wrong alright, the necessary action may be taken against him. What has the State Congress to do with it? It is represented by its Working Committee and is there any statement published by it to show that it is subversive and disloyal. It is only a device to crush the State Congress.

Another charge raised against the State Congress is that it is interested in spoiling the fair name and prestige of the country. I am sure, the Director of Information..........

President: Order, order. The honourable member is to address the Chair. The Director of Information is outside the House. He is not a member of this House and assurances may be conveyed to him outside the House, but not inside.

Mr K. M. Korah: Yes. I may inform the House that we are more concerned with the fair name and prestige of our State than any body else.

Another point to which I wish to draw the attention of the House is that even here the most fair and reasonable criticism is resented. It was stated that the object of the State Congress was to show that the financial position of the State is in a precarious condition. How ill-founded is this change? True we have criticised the Government policy. Are we to praise every act of Government? Are we not entitled to criticise and question the Government's policy? Why not take them in the true light of criticism? It is believed that there is something wrong with the

finances. When we are coming forward with practical suggestions, and when we say that the financial condition is not quite satisfactory, it is for the authorities concerned, to convince us that our finances are absolutely safe. Simply because we are making some criticism, we should not be styled as subversive and disloyal. I fear, at this rate, whether any body will have the courage to offer *bona fide* criticism.

According to the Government Secretary charging the head of the administration with corruption is disloyalty. The Head of the administration, the Chief Secretary, the Government Secretary, all these are officers appointed by His Highness the Maharaja. Suppose there is corruption. What is the remedy? Is it not the right of the citizens to appeal to His Highness the Maharaja and pray for an enquiry? To me it appears that disloyalty consists in putting the Head of the Administration or any other officer on a par with His Highness the Maharaja.

President: Honourable member is transcending the limits of debate. What was stated is this. As is well known, the Government is that of His Highness according to the constitution of the State. The Government of this country is carried on by His Highness the Maharaja through his agents and that is why, for instance, the Penal Code has put any reflection upon His Highness and against the Government of His Highness on the same basis. The question was whether the administration—not the Head of the administration—was charged with corruption. If that is so, the charge of corruption is disloyal.

Mr. K. M. Korah: I was dealing with the charge levelled by the Government Secretary.

President: Order, order. To charge the administration of this country with corruption is absolutely the same thing as to charge the Head of the administration with corruption because the administration of the country is conducted by His Highness through his agency. So long as the present constitution is what it is, it will be conducted by His Highness, and the Government of His Highness and His Highness are on the same footing.

Mr. K. M. Korah: I may also speak a word about certain references made by one honourable member about this party. It was suggested that the State Congress members are without any ideals and that they are selfish and that they are job hunters. I challenge the Government to publish the names of the applicants. I am sure nobody from our party has applied for jobs. The Public knows who are all job hunters and who all depend upon Government support for their very existence.

President: If the honourable member is asking for the list of applicants I say that is confidential.

Mr. K. M. Korah; No Sir, my object was to show that we are not job hunters.

President: Order, order. Various members and persons residing in Travancore have made applications for appointments. Honourable member cannot ask to place these applications before the House. But I assure the honourable members that members of all parties have applied for appointments (*Laughter*). Those applications are in the Secretariat.

Mr. Nedumangad R. Kesavan Nair: Sir, may I know whether there is a single application from the members of the State Congress party?

President: I assure you that there is application from all parties for appointment, but the honourable member is not entitled to scrutinise or see those applications.

Mr. K. M. Korah: Sir, before I close, I would request the Government to make a real attempt to understand the sense of the country. If the C. I. D. people are sending real conscientious reports, I am sure that Government will understand the real sense of the country. I am also dicidedly of opinion that no member of the Legislature shall be given any office during his term of membership.

Mr. V. S. Arumukham Pillai: Sir, we have had much heated discussion about the State Congress and responsible Government. Sir, the so-called State Congress party have as their aim the ideal of responsible Government. Sir, what is the means adopted by them to attain that goal.

Mr. R. V. Thomas: I request the honourable member to be loud enough.

Mr. V. S. Arumukham Pillai: Sir, the aim of the party called the State Congress party is to attain responsible Government and to attain that what are the means that they have adopted? I have been closely watching and studying their activities. I may say with boldness that their activities and their means consist in carrying on malicious propaganda within the State and outside against the activities of the Government of His Highnes the Maharaja of Travancore and against the Governmental institutions. They are attempting to destory the fair name of Travancore within the State and outside. That is the means they have adopted to attain responsible Government.

Mr. Kochikal P. Balakrishnan Tampi: May I know the source of this information?

Mr. V. S. Arumukham Pillai: I have been reading the papers. I have been getting in touch with their activities within the State.

Sir, Travancore is not a State like Alwar and our Highness is not one like the Zemindar of Singampatty. If responsible Government is the political ideal it is not by threats or other equally undesirable means that they can obtain responsible Government from His Highness. It cannot be wrested from His Highness. His Highness has to give it of his own free will and pleasure. Sir, in this connection I will read a passage from Sir M. Visvesvaraya's speech delivered to the South Indian States Peoples' Conference at Trivandrum. He is a great exponent of responsible Government in the Indian States. This is the advice he gives in the last page of his report:—

> "At the same time, there is a corresponding duty imposed on the subjects of Indian States. They on their part, should remember that they are not to be content with offering mere criticism and that nothing will be gained by antagonizing their Rulers, rather, they should make their Rulers feel their identity with them and with their future fortunes. Also, the more enlightened among the States people should offer their services and co-operation to the Princes to help in moulding the thoughts and shapping the destinies of their States in conformity with accepted canons of national efficiency."

Sir, this is what I want to point out to my friends who belong to the so-called Congress party. It is not by denouncing the Governmental activities and criticising them that you can attain responsible Government. It is by co-operating with His Highness and by working for the welfare of the people and by pleasing His Highness' Government by hearty co-operation that we can attain responsible Government.

Sir, at this juncture I do not want to express any opinion with regard to responsible Government. Reserving that, I am going on to say that during the general discussion of the budget I pointed out how the various measures and activities of the Government are for the greatest happines of the greatest number. A perusal of the Budget figures will convince any one that our State is an ideal State,—an ideal modern State - and the future policy and programme of our Government embodies the most advanced and progressive of political ideals. Our State has undertaken many schemes and enterprises. Our State is just at the initial stage of industrial advancement. It is a matter of genuine pride that we have been able to announce to the world that major portion of our income is derived from industrial concerns. When we have started various measures, when we have invested large amounts in fruitful

[Mr. V. S. Arumukham Pillai.]

schemes, it is a matter for grief that there is lack of co-operation and understanding and confidence on the part of a section of the public. For the successful work of this programme and for the attainment of the aim of the State, namely, the welfare of the bulk of the people, I request my honourable friends not to create disruption, but to work harmoniously and to co-operate with the Government to attain the desired end.

With these few words I resume my seat.

Mr. P. I. Simon (*Municipal Councils*) : Sir, I would like to support the motion: in doing so, two considerations alone weigh with me. One is whether the Secretariat is efficient and the other whether the claims of the several communities existing in Travancore are duly represented. All other questions are irrelevant. Whether the State Congress is disloyal or subversive, I should think is an absolutely irrelevant consideration while considering the demand for the maintenance of the Secretariat. Certain members of the State Congress spoke opposing the demand by expressing resentment at the characterisation by Government of certain activities of the State Congress as disloyal and subversive, I should think their resentment is honest, because they do not actually know what is actually taking place. Poor Mr. Balakrishnan Tampi or Mr. Kora is not aware of the things that take place in the inner sanctuary of the State Congress

Mr. R. V. Thomas : Sir, on a point of order, May I know whether it is parliamentary to mention an honourable member as poor.

President : Unless it is for pecuniary reasons it is not unparliamentary.

Mr. P. I. Simon : Sir, they are being deceived. That is why I call them poor. They are being deceived by some mischievous and interested persons who are managing these activities in Travancore and outside.

Mr. K. K. Kuruvilla : Why don't you get hold of these men and take action against them ?

President : Order, order.

Mr. P. I. Simon : Mr. Kuruvilla himself is ignorant of the real situation.

Mr. N. V. Chacko : Is the honourable member a C. I. D. Inspector?

Mr. P. I. Simon : Messrs. Krishnan Thampi and Kesavan Nair were originally members of the Samyuktha party. All that was said by them this time last year during the budget session were forgotten.

Mr. N. V. Chacko : Was not the honourable member a member of the Samyuktha party?

Mr. P. I. Simon : I was. Last year they argued that communual representation should be accepted on principle. But this year they are silent on this. It is interesting to note that Messrs Balakrishnan Thampi and Kesavan Nair have turned themselves heretics. They are pretending in their new dress what they are not and instead of saying what they feel, always listen to the promptings from behind the curtain. It is a stage as it were.

I submit therefore that this formation of a new party was a surprise to all of us and several of its members are absolutely ignorant of what is really going on behind the curtains. They are prompted also while they forget what they learned to say.

Mr. Kochikkal P. Balakrishnan Tampi : May I know from the member.......

President : The honourable member has not yield his place.

Mr. P. I. Simon : Sir, the relevant considerations therefore while supporting or opposing the demand are only the questions of efficiency, and of communal representation. Pertaining to the Secretariat as at present constituted I would say that the Secretariat as it is composed is efficient. It is discharging its duties properly. I would only request the Government that more members of the backward communities should be given their due share in the general administration. There is only one Ezhava as Chief Secretary and as Mr. Anirudhan said, the Ezhava community is not well represented in the Secretariat. I also belong to a community which could complain very well that it is not given its due share of appointments in the Secretariat. With these remarks I support the demand.

Mr. T. K. Kittan : സർ, രാജ്യഭരണയന്ത്രം തന്ത്രംകൊണ്ടു നടത്തുന്ന സമിതിയുടെ ചെലവിലേക്കാവശ്യപ്പെട്ടിരിക്കുന്ന ആറു ലക്ഷത്തിൽ ചില്വാനം രൂപ അനുവദിച്ചുകൂടാ എന്നാണു ഞാൻ പറയുന്നതു. യന്ത്രം എന്നു ഞാൻ പറഞ്ഞതു ഇംഗ്ലീഷിൽ "മെഷീനറി" എന്നുള്ള പദത്തിന്റെ മലയാളമാണ്. ഒരു യന്ത്രത്തിൽ വലിയ ചക്രമുണ്ടു, വലിയ അച്ചുതണ്ടുണ്ടു, ചെറിയ ചക്രങ്ങളും ചെറിയ അച്ചുതണ്ടുകളും ഉണ്ടു, ബെൽട്ടുമുണ്ടു. ഈ യന്ത്രത്തിന്റെ വലിയ അച്ചുതണ്ടു ദിവാൻജിയാണ്. വലിയ ചക്രം ചീഫ് സെക്രട്ടറിയാണ്. ചെറിയ അച്ചുതണ്ടുകളും ചക്രങ്ങളും ഡിപ്പാർട്ടുമെന്റു മേലധ്യക്ഷന്മാരും സെക്രട്ടറിമാരും സൂപ്രണ്ടന്മാരുമൊക്കെയാണ്. ഞാൻ തന്ത്രംകൊണ്ടു യന്ത്രം നടത്തുന്നു എന്നു പറഞ്ഞതു കൂടോത്രത്തെ ഉദ്ദേശിച്ചല്ല, ബുദ്ധിസാമർത്ഥ്യത്തെ

[Mr. T. K. Kittan.]

മാത്രം ഉദ്ദേശിച്ചാണ്. ഈ യന്ത്രഘടന പരിശോധിച്ചു നോക്കിയതിൽ അയ്യായിരത്തിൽപരം രൂപ പ്രതിമാസം ശമ്പളം വാങ്ങിക്കുന്ന ദിവാൻജി............

Mr. C. N. Thuppan Nambudirippad : ഈ യന്ത്രത്തിനകത്ത് ഈ കൗൺസിലും കൂടി ഉൾപ്പെട്ടുമോ?

Mr. T. K. Kittan : എന്റെ പ്രസംഗം കഴിഞ്ഞതിനുശേഷം അതിനെപ്പററി പറയാം........ അയ്യായിരത്തിൽ പരം രൂപ പ്രതിമാസം ശമ്പളം വാങ്ങിക്കുന്ന ദിവാൻജി, അദ്ദേഹത്തിന്റെ അടുത്തു കാര്യങ്ങൾ പറയുന്ന പ്രൈവററ് സെക്രട്ടറി, രാജ്യകാര്യങ്ങൾ ആകപ്പാടെ നടത്തുന്ന ചീഫ്സെക്രട്ടറി, അദ്ദേഹത്തിന്റെ താഴെ ൬൦൦ രൂപാ വീതം ശമ്പളം പററുന്ന മൂന്ന് സെക്രട്ടറിമാർ, അവക്കു താഴെ ൩൦൦ രൂപവീതം ശമ്പളം വാങ്ങിക്കുന്ന ൬ അസിസ്ററൻറ് സെക്രട്ടറിമാർ, ౨൦൦ രൂപ ശമ്പളമുള്ള ൯ സൂപ്രണ്ടന്മാർ ഇങ്ങനെയാണ് ഈ യന്ത്രത്തിന്റെ ഘടന.

President : The honourable member need not be interrupted he is at liberty to be inaccurate.

Mr. T. K. Kittan : ദയവുചെയ്തു് എന്നെ ഇങ്ങനെ ചോദ്യങ്ങൾ ചോദിച്ചുപദ്രവിക്കരുത്. എനിക്ക് അനുവദിച്ചിട്ടുള്ളതിൽ ഒരു മിനിററിനുമുൻപേ എനിക്കു പറയുവാനുള്ളതു മുഴുവനും പറഞ്ഞു തീർത്തുകൊള്ളാം. ഇടക്കിടക്ക് ഇങ്ങനെ ചോദ്യം ചോദിച്ച് എന്നെ ഉപദ്രവിച്ചാൽ എനിക്കു പറയുവാനുള്ള സംഗതികൾ പലതും വിട്ടുപോയേക്കാം.

പിന്നിട്ട് ധനകാര്യമന്ത്രി, കണക്കു കൂട്ടുന്ന ആഫീസർ (ഇവരെല്ലാം ൬൦൦—൦, ൩൦൦—൦ രൂപ ശമ്പളം വാങ്ങിക്കുന്ന വലിയ ഉദ്യോഗസ്ഥന്മാരാണ്. ഇവരെല്ലാംകൂടി രാജ്യകാര്യങ്ങളന്വേഷിച്ചിട്ടും ഇവിടെ കാര്യമൊന്നും ശരിയായി നടക്കുന്നില്ലാത്തതുകൊണ്ടാണ് ഡിമാണ്ട് അനുവദിച്ചുകൂടാ എന്നു ഞാൻ പറഞ്ഞതു്. ശരിയായി രാജ്യഭരണം നടത്തുകയാണെങ്കിൽ ഒരു പക്ഷെ കുറെ കൂടുതൽ ശമ്പളം കൊടുത്താലും തരക്കേടില്ലായിരുന്നു. ഇവിടെ രണ്ടരക്കോടി രൂപയോളം മുതലെടുപ്പുണ്ട്, പുതിയ നികുതി ഒന്നുംതന്നെ ചുമത്താതെ അടുത്തയാണ്ടിലേയ്ക്ക് ഈയാണ്ടിനെ അപേക്ഷിച്ച് പത്തുലക്ഷം രൂപ കൂടുതൽ വരവുണ്ടാകുമെന്ന് പ്രതീക്ഷിക്കുന്നു. അതു് ധാരാളമായി ചെലവു ചെയ്താലും ഭരണം ശരിയായി നടത്തിയാൽ മതി. ഇവിടെ നടക്കുന്നതു് ഒരാൾ മറെറാരാളെ തെറിപറയുകയെന്നുള്ളതാണ്. ഗാന്ധിതൊപ്പിക്കാരെ

ചിത്ത പറയുന്നുണ്ട്. ഞങ്ങൾക്കും തിരിയെ പറയുവാൻ സാധിക്കും; എന്നാൽ അക്രമരാഹിത്യസിദ്ധാന്തത്തിന് അതു് പററിയതല്ലല്ലോ എന്നു വിചാരിച്ച് മിണ്ടാതിരിക്കയാണ്. ഇവിടെ ഞാൻ വന്നശേഷം രണ്ടു പുതിയ പദങ്ങൾ കേട്ടു, ഒന്ന് "രാജഭക്തിരാഹിത്യം" മറെറാന്നു "വിധ്വംസകം." ഈ പുതിയ വാക്കുകൾ ഈ രാജ്യത്തു കേട്ടു തുടങ്ങീട്ടു നാലു മാസമേ ആയിട്ടുള്ളു. ദയവുചെയ്തു് ഈ പദപ്രയോഗം അശേഷം നിറുത്തിക്കളയണം. ഇവിടത്തെ നിയമസഭ തുടങ്ങിയിട്ട് ൪൯ വർഷം കഴിഞ്ഞു. പ്രജാസഭയ്ക്കു ൨൯ കൊല്ലത്തെ പഴക്കമുണ്ടായിരുന്നു. പ്രജാസഭകാലത്തു് ഞാൻ ഇവിടെ വന്നു കണ്ടിട്ടുണ്ട്. അന്ന് ജനപ്രതിനിധികളിൽ പ്രായം കൂടിയ ഒന്നോ രണ്ടോ പേർ സഭ അവസാനിക്കുന്ന ദിവസം രണ്ടുവാക്കു പറയാറുണ്ട്. അതായതു് "അടിയങ്ങൾ ഇവിടെ വന്നു ഈവക കാര്യങ്ങളെല്ലാം കഴിച്ചുകൂട്ടി തിരിച്ചു പോകുന്നു" ഇതാണ്. ഇതു് ദിവാൻജി സമയം പോലെ തിരുമനസ്സറിയിക്കണമെന്നുള്ള താല്പര്യത്തിലാണ്.

തിരുവിതാംകൂർ ഭരണം നടത്തുന്നതിനു പൊന്നുതമ്പുരാൻ ധാരാളം പണം അനുവദിച്ചിട്ടുണ്ട്, ഭരണകാര്യങ്ങൾ നിർവ്വഹിക്കുവാൻ ൨൫,൦൦൦ ഉദ്യോഗസ്ഥന്മാരെ വച്ചിട്ടുണ്ട്. ഇതിൽ കൂടുതൽ പൊന്നുതമ്പുരാൻ എന്തുചെയ്യണം? ഞങ്ങൾക്കു തമ്മിൽ അഭിപ്രായവ്യത്യാസങ്ങളുണ്ടെങ്കിൽ അതു പറഞ്ഞു ശരിപ്പെടുത്തി രാജിയാക്കുകയാണു വേണ്ടതു്. ഉത്തരവാദിത്വഭരണമെന്നും, കാൺഗ്രസ്സുകാരെന്നുമുള്ള പേരുകളെല്ലാം പറഞ്ഞു് വിരണ്ടുപോകേണ്ട യാതൊരാവശ്യവുമില്ല. ദിവാൻജി വിചാരിക്കയാണെങ്കിൽ ഈ അഭിപ്രായവ്യത്യാസങ്ങൾ അഞ്ചു മിനിട്ടുകൊണ്ടു തീരാനേയുള്ളു.

ഇവിടത്തെ ഭരണം നടത്താൻ ൨൫,൦൦൦ ഉദ്യോഗസ്ഥന്മാരുണ്ടെന്നു ഞാൻ പറഞ്ഞു കഴിഞ്ഞു. ഇതിൽ ഒരു പതിനയ്യായിരത്തിനുമേൽ താണതരം ശമ്പളക്കാരാണ്. ഒരു പോലീസുകാരനു ൭൭ രൂപയാണ് ശമ്പളം വച്ചിരിക്കുന്നതു്. അയാൾക്കും വൃത്തിയായി നടക്കണം, മററു കാര്യങ്ങളും നിർവ്വഹിക്കണം. അതിനെല്ലാം ഈ ശമ്പളം മതിയോ? അവർ കൈക്കൂലി വാങ്ങിക്കാൻ നിർബന്ധിതരായിത്തീരുന്നു. അതുകൊണ്ട് ഇവരുടെ കുറഞ്ഞ ശമ്പളം ൭൫ രൂപയാക്കണം. കുറെ ആളുകളെ പിരിച്ചുവിട്ടാലും തരക്കേടില്ല, ഇവിടത്തെ കുറഞ്ഞ ശമ്പളം ൭൫ രൂപയായിരിക്കണം.

. T. K. Kittan]

അവർ അർദ്ധപട്ടിണിക്കാരായി ജീവിതം കഴിക്കുന്നു. അതുകൊണ്ട് വലിയ ശമ്പളങ്ങളെല്ലാം വെട്ടിക്കുറയ്ക്കണം. ൧൫ രൂപായിൽ കുറഞ്ഞ ശമ്പളം ഈ രാജ്യത്തു പാടില്ല എന്നു നിശ്ചയിക്കണം. വരുന്നതുണ്ടു മുതലെങ്കിലും അങ്ങനെ ചെയ്യണം. ഇവിടത്തെ ജനസംഖ്യ ൫൧ ലക്ഷമാണെന്നു ൧൯൩൧-ലെ കണക്കുകൊണ്ട് കാണുന്നു. ആണ്ടിൽ ഓരോ ലക്ഷം ജനങ്ങൾവീതം വർദ്ധിക്കുന്നുണ്ട്. കഴിഞ്ഞ ൨൦ വർഷങ്ങളായി ഇങ്ങനെ വർദ്ധിച്ചുകൊണ്ടിരിക്കുകയാണ്. നെടുമങ്ങാട്ടു, നെയ്യാററിൻകര മുതലായ സ്ഥലങ്ങളിൽ പനിപിടിച്ച് കുറേ ആളുകൾ മരിച്ചു പോയിട്ടുണ്ട്. ഇവിടത്തെ ജനങ്ങളിൽ ൯൦ ശതമാനവും കൃഷിക്കാരും കൂലിവേലക്കാരുമാണ്. വലിയ സർക്കാർ ജോലിക്കാരായും ധനവാന്മാരായും മററുമുള്ളത് ബാക്കിയുള്ള പത്തുശതമാനമാണ്. ഇവിടെയുള്ള ജനങ്ങളുടെ ആകെ കടം ൩൦ കോടി രൂപായാണ്. ഇതു് രണ്ടുമൂന്നു കമ്മററിക്കാർ രാജ്യം മുഴുവൻ സഞ്ചരിച്ച് അന്വേഷിച്ചു തയ്യാറാക്കിയിട്ടുള്ള കണക്കാണ്. ഈ കടം കുറയ്ക്കാൻ ഗവണ്മെൻറ് എന്തു ചെയ്തു? ഇവിടെ കക്ഷിപിണക്കവും വഴക്കുമായിട്ടാണ് കഴിച്ചുകൂട്ടുന്നതു്. അതാണ് കാര്യങ്ങളൊന്നും ഇവിടെ ശരിയായി നടക്കുന്നില്ലെന്നും ചെലവിനു സംഖ്യ അനുവദിക്കാൻ പാടില്ലെന്നും ഞാൻ പറഞ്ഞതു്. പക്ഷെ ഒടുവിൽ ഈ രൂപായും, കൂടുതൽ രൂപായും ചെലവാകും അതാണ് പതിവു്. അതുകൊണ്ടു് രൂപാ അനുവദിച്ചുകിട്ടുകയില്ല എന്നു് ആരും സങ്കടപ്പെടേണ്ട. പ്രസംഗം അവസാനിച്ചാൽ രൂപായും കിട്ടി എന്നു് നിശ്ചയിച്ചുകൊള്ളാം. ഇവിടത്തെ കടക്കാരെ തമ്മിൽ പറഞ്ഞുതീർക്കുന്നതിന് കൺസിലിയേഷൻ ബോർഡുകൾ ഏർപ്പെടുത്തിയിട്ടുണ്ട്. എന്നാൽ അവകൊണ്ടു് യാതൊരു പ്രയോജനവും ജനങ്ങൾക്കു സിദ്ധിക്കുന്നില്ല. ബോർഡുകാർ പറഞ്ഞാൽ ഉത്തമർണ്ണനും അധമർണ്ണനും ഒന്നുംതന്നെ കേൾക്കുകയില്ല. ഇരട്ടിപ്പലിശ വേണമെന്ന് ഉത്തമർണ്ണൻ ശാഠ്യം പിടിക്കുന്നു. അധമർണ്ണന്റെ ഉടുതുണിവരെ വിററുകൊടുത്താലും പകുതി തുക പോലും കൊടുത്തു തീക്കാൻ തിരയുകയില്ല, അതുകൊണ്ടു് ബോർഡുകാർക്ക് ഇടപാട്ട് പറഞ്ഞു തീക്കുന്ന വിഷയത്തിൽ പരമാധികാരംതന്നെ കൊടുക്കണം. അല്ലെങ്കിൽ ഈ സമിതികളെ പിരിച്ചുവിടുന്നതാണ് നല്ലതു്. മുൻപതിവുപോലെ മുൻസിഫ് കോടതികൾ മുഖേന കാര്യങ്ങൾ ശരിപ്പെടുത്താമെന്ന് നിശ്ചയിക്കണം.

ഇവിടെ ഒരു ഇൻഫർമേഷൻ ഡയറക്ടർ ഉണ്ട്. അദ്ദേഹം ഉള്ള കാര്യങ്ങളൊക്കെ ശരിയായി പറയണം. കപടംകൂടാതെ പറയണം കൂട്ടിയും കുറച്ചും പറയരുത്. നല്ലതിനെ നല്ലതെന്നും ചീത്തയെ ചീത്തയെന്നും പറയണം. അല്ലാതെ തകിടംമറിയാൻ അനുവദിക്കരുതു. അദ്ദേഹത്തിനു പടമെടുക്കാനുള്ള യന്ത്രങ്ങൾ കൊടുത്തിട്ടുണ്ട്. വല്ല ലഹളകളോ വഴക്കുകളോ ഉണ്ടാകുന്നു എങ്കിൽ അതിന്റെ പടം എടുത്തു് പ്രസിദ്ധപ്പെടുത്തണം. അതുപോലെ കരുനാഗപ്പള്ളി, കാർത്തികപ്പള്ളി എന്നീ താലൂക്കുകളിൽ കടൽ ആക്രമണം നിമിത്തം വലിയ നഷ്ടങ്ങൾ സംഭവിക്കുന്നുണ്ട്. അവയുടെ പടം എടുത്തു് പ്രസിദ്ധപ്പെടുത്തിയാൽ ഉദ്യോഗസ്ഥന്മാർക്കും മററുള്ളവർക്കും അവിടെച്ചെന്നു് വേണ്ട കാര്യങ്ങൾ അന്വേഷിക്കാവുന്നതാണ്. ഇത്രയും പറഞ്ഞുകൊണ്ട് ഈ ഡിമാൻറിനെ ഞാൻ എതിർക്കുന്നു.

Mr. C. N. Thuppan Nambudirippad : ഞാൻ ഈ ഡിമാൻറിനെ അനുകൂലിക്കുന്നു. ഇന്നത്തെ ഗവമ്മെൻറിന്റെ ഭരണം .. ...

President: Order, order. Four or five other honourable members have given their names. So, hereafter I can give only five minutes to each honourable member.

Mr. C. N. Thuppan Nambudirippad : ഇന്നത്തെ ഗവമ്മെൻറിന്റെഭരണം ജനങ്ങൾക്ക് ക്ഷേമമാണെന്നു കാണിക്കുന്നതിലേക്കാണു ഞാൻ ഉദ്ദേശിക്കുന്നതു്. തിരുവിതാംകൂർ ഗവർമ്മെൻറിന്റെ ഭരണനില നോക്കിയാൽ മുമ്പുകാലം മുതൽക്ക് ജനങ്ങൾ ആവശ്യപ്പെടാതെ തന്നെ കൂടുതൽ സ്വാതന്ത്ര്യം നിർബ്ബന്ധിച്ചു് അനുവദിച്ചുകൊടുത്തിട്ടുണ്ട്. ആദ്യമായി ഇവിടെ ശ്രീമൂലം പ്രജാസഭ സ്ഥാപിച്ച കാലത്തു് അന്നത്തെ പേഷ്ക്കാർ എന്നെ വളരെ നിർബ്ബന്ധിച്ചാണ് അതിൽ ഒരു സ്ഥാനം എനിക്കു നൽകിയിട്ടുള്ളതു്. അന്നുമുതൽക്ക് മഹാരാജാവുതിരുമനസ്സുകൊണ്ടും അവിടത്തെ ഗവർമ്മെൻറും നല്ലവണ്ണം ആലോചിച്ചു് ഇവിടത്തെ ജനങ്ങളെ അവർ ആവശ്യപ്പെടാതെതന്നെ രാജ്യകാര്യങ്ങളിൽ കൂടുതൽ പങ്കുകൊള്ളിക്കണമെന്നു് കരുതിയാണ് പ്രവർത്തിച്ചുവന്നിട്ടുള്ളതു്. ഈ രാജ്യത്തെ ന്യൂനപക്ഷങ്ങളും ജനങ്ങളും ബിരുദധാരികൾ അല്ലാത്തവരാണ്. മഹാരാജാവു തിരുമനസ്സിലേയും അവിടത്തെ ഗവർമ്മെൻറിന്റേയും ഭരണത്തെ ഇവിടത്തെ ന്യൂനപക്ഷമനം ജനങ്ങളും വളരെ തൃപ്തിയോടുകൂടിയാണ് സ്വീകരിച്ചുകൊണ്ടിരിക്കുന്നതെന്നുള്ളതിന് യാതൊരു സംശയവുമില്ല. എന്നാൽ ഇവിടെ ചില ബഹളങ്ങ

[Mr. C. N. Thuppan Nambudirippad]

ളും ഭരണകാര്യങ്ങളെക്കുറിച്ചു് ചില അഭിപ്രായവ്യത്യാസങ്ങളും തൽസംബന്ധമായി ചില സ്ഥാപനങ്ങളും ഉത്ഭവിച്ചിരിക്കുന്നതായി കാണുന്നുണ്ടു്. ഈ അഭിപ്രായവ്യത്യാസങ്ങളും മററും ഈ ൻവ്യ ശതമാനം ആളുകളിൽ നിന്നും ഉണ്ടാകുകയില്ലെന്നു് ധൈര്യസമേതം പറയാവുന്നതാണു്. ഇന്നു കാണുന്ന ബഹളങ്ങളെല്ലാം ബിരുദധാരികളായ ഏതാനുംപേരുടെ നിരാശകൊണ്ടു് മാത്രം ഉണ്ടായിട്ടുള്ളതാണു. ഇതു് രാജ്യം മുഴുവൻ പരക്കാൻ സാധിക്കുമോ എന്നു ചോദിച്ചാൽ തടയാതിരിക്കുന്നിടത്തോളം നിശ്ചയമായും സാധിക്കുമെന്നുതന്നെ പറയാം. കൃഷി, കച്ചവടം, കൈത്തൊഴിൽ മുതലായവകൊണ്ടു ഉപജീവനം കഴിക്കാമെന്നു ചിലർ ആഗ്രഹിക്കുമ്പോൾ അതിൽക്കൂടുതലായി ആദായം ഉണ്ടാക്കാൻ സാധിക്കുമെന്നുള്ള ദുർബോധനയുടെ ഫലമാണു് ഇങ്ങിനെയുള്ള ബഹളങ്ങൾ ഉണ്ടാകുന്നതു്. പക്ഷെ ഇതുകൊണ്ടൊന്നും ജനങ്ങളെ ഇളക്കാനോ ബഹളം കൂട്ടിക്കുവാനോ സാധിക്കുകയില്ല. എന്റെ സ്നേഹിതൻ മി. കിട്ടൻ ഇവിടെ ചില സംഗതികൾ സൂചിപ്പിച്ചു. എന്നാൽ ബിരുദധാരികളിൽ നിന്നു് കൂടുതൽ മനസ്സമാധാനകരങ്ങളായ പ്രവൃത്തികളാണു് നാം ആശിക്കേണ്ടതു്. ഇന്നത്തെ വിദ്യാഭ്യാസത്തിന്റെ നിലയനുസരിച്ചാണു് ഇങ്ങനെയുള്ള പ്രവൃത്തികൾ ഇന്നു നാം കാണുന്നതു്. ഇന്നത്തെ വിദ്യാഭ്യാസരീതിയെ പരിഷ്ക്കരിക്കണമെന്നുള്ളതു് ഒരു പരമാർത്ഥം മാത്രമാണു്. യാതൊന്നും കാണാൻ സാധിക്കാത്തതായ ഒരു നിലയാണു് ഇന്നത്തെ വിദ്യാഭ്യാസംകൊണ്ടു് വന്നുചേർന്നിട്ടുള്ളതു്. അതിനു മാററംവരത്തക്ക ഒരു വിദ്യാഭ്യാസപദ്ധതി നമ്മുടെ നാട്ടിൽ ഉണ്ടായിരുന്നെങ്കിൽ ഇത്രത്തോളം അസമാധാനം ഇവിടെ ഉണ്ടാകുകയില്ലയെന്നു് ധൈര്യമായി പറയാവുന്നതാണു. ഇന്നത്തെ യൂനിവേഴ്സിററികൊണ്ടു അതിനു വേണ്ട പരിഹാരം ഉണ്ടാകുമെന്നു് ഞാൻ ആശിക്കുന്നു.

നമ്മുടെ രാജ്യത്തിനു ഒരു വിശേഷഗുണമുണ്ടു്. തിരുവിതാംകൂർ രാജ്യത്തെപ്പോലെ ഇത്രയും ഭൂനികുതി കുറഞ്ഞ രാജ്യം ഭൂലോകത്തു വേറെയുണ്ടെന്നു തോന്നുന്നില്ല.

Mr. N. V. Chacko: ആസ്ത്രേലിയായിൽ ഭൂനികുതി വളരെ കുറവാണെന്നുള്ള വിവരം അറിയാമോ?

Mr. C. N. Thuppan Nambudirippad: ഞാൻ ഇൻഡ്യയെ സംബന്ധിച്ചാണു് പറയുന്നതു്. എന്നാൽ മററു രാജ്യങ്ങളെ അപേക്ഷിച്ചു് തിരുവിതാംകൂറിൽ ഭൂനികുതി വളരെ കുറവാണെന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്.

ജനങ്ങളുടെ അപേക്ഷകൂടാതെയാണ് ഇന്നത്തെ നിയമസഭ പരിഷ്ക്കരിച്ചിട്ടുള്ളത്. മുൻപിരുന്ന കൗൺസിലിൽ ൧൫ ഉദ്യോഗസ്ഥമെമ്പറന്മാരാണ് ഉണ്ടായിരുന്നത്. ഇന്ന് ആ എണ്ണത്തെ വളരെ ചുരുക്കി ൧൦ ആക്കുകയും വളരെ അനുദ്യോഗസ്ഥഭൂരിപക്ഷമുള്ളതുമായ ഒരു സഭയാണ് തിരുവിതാംകൂർ ഗവണ്മെൻറ് പ്രദാനം ചെയ്തിട്ടുള്ളത്. ഇതൊന്നുംതന്നെ ജനങ്ങൾ ആവശ്യപ്പെട്ടിട്ടല്ല ഗവണ്മെൻറ് അനുവദിച്ചുകൊടുത്തിട്ടുള്ളത്. ഒരുകാലത്തും അനുവദിച്ചുകിട്ടണമെന്ന് ആശിക്കാൻകൂടി നിവൃത്തിയില്ലാത്ത ഒരു വിളംബരം-മഹാരാജാവു തിരുമനസ്സുകൊണ്ടും ബുദ്ധിമാനായ മന്ത്രിസത്തമനുംകൂടി ആലോചിച്ചു പ്രവർത്തിച്ചിട്ടുള്ള വിളംബരം— അതിൻെറ കീർത്തി ഇന്ന് ഇൻഡ്യാരാജ്യത്തിൽ എന്നല്ല ഭൂലോകം മുഴുവനും മുഴങ്ങിക്കൊണ്ടിരിക്കുകയാണ്. സ്വല്പകാലത്തെ ഭരണംകൊണ്ട് ഇതുപോലുള്ള പല സംഗതികളും നമുക്കു സാധിച്ചുകിട്ടിയിട്ടുണ്ട്.

ഒരു മിനിട്ടുകൂടി സംസാരിക്കുന്നതിന് അനുവാദം തരണം.

President: Yes.

Mr. C. N. Thuppan Nambudiri: പരിഷ്ക്കാരങ്ങൾ എല്ലാം കൂടി ഒന്നിച്ച് അനുവദിക്കാൻ ആർക്കും സാധിക്കുകയില്ല. ഓരോന്നായി നമുക്ക് പ്രവർത്തിച്ചുകാണിച്ചുതന്നിട്ടുണ്ട്. അതിൻെറ ഫലം അനുഭവിക്കാൻ മാത്രമുള്ള സമാധാനബുദ്ധി നമുക്കില്ലെന്നു വരുന്നതു വളരെ സങ്കടമാണ്. അതുകൊണ്ട് ഇവിടത്തെ നടപടികളും മററും സാവകാശമായി ആലോചിച്ചു പെരുമാറണമെന്നുള്ള അഭിപ്രായത്തെ ഈ കൗൺസിലിൻെറ മുമ്പാകെ സമർപ്പിച്ചുകൊള്ളുന്നു.

Mr. T. Mahomed Ismail: Sir, much has been said about the activities of certain individuals that are subversive and disloyal and that in politics they are indulging in revolutionary activities and subversive movements. In this connection my only question to the Government is, whether they are not in a position to suppress the actions of a man if he does anything illegal. Are not the arms of Government strong enough to suppress any disloyal and subversive activity pursued by him? If the Government feel that any one is doing a wrong thing, is not our law sufficient to prevent him? If our law is sufficient to punish any wrong doer, if our Government is strong enough to meet any emergency, why not action be taken accordingly? Is it enough, if they say, both inside and outside the House, that such and such a man is doing this and that? Can they not start legal proceedings against him? I think, it is high time that Government, instead of speaking, take the

[Mr. T. Mahomed Ismail.]

necessary legal action provided for by Statutes and suppress all the subversive activities of any man, whoever he be, of any association whichever that be.

I am really sorry that the Dewan in a speech at Kothamangalam has characterised some communities including a section of the Muslims, as disloyal. As a Muslim, I repeat, what I said before, that no Muslim in Travancore is disloyal. If the Government are not able to punish those who are disloyal, at least among our community, I ask the Government to point out the disloyal man. If the Government cannot deal with him, we will deal with him.

Then we hear that one man was beaten there, another man's head was broken in another place and so forth. I ask, in all seriousness, what the police are doing? If the police cannot suppress these illegal actions of individuals, what is the meaning of their existence in the country? I can appreciate the police, if they had done their duty rightly and promptly. They ought to have taken steps to see that peace and order is restored in the land.

A word about the proposed change in the electoral system. As stated by Mr. Kottoor Kunjukrishna Pillai and opposed by Mr. Govindan, I think there is absolutely no necessity to make a change in the system at present. If necessary, all the communities must consider that question and come to a settlement. What Mr. Kottoor Kunjukrishna Pillai pointed out was that some of the Muslims are for change. Sir, I say quite plainly that that is the opinion of a few disappointed, and disgruntled individuals. Even if there be such, their number is only one or two. That is the only logical meaning that could be given to that word 'some'.

A word in regard to efficiency and communal representation. Really, I would not have touched this point. But, Sir, I am driven to that by the speeches of other members. Let it be clearly understood that no Muslim requires a post under Government simply because he belongs to the Muslim community. No appointment need be given on that score. Not in the least. My request is let the Government do justice. Under the cloak of efficiency let no partiality prevail. Let not the rules be twisted. This morning it was said by the Legal Remembrancer, that in making certain appointments, the rules cannot be so strictly construed; at times some modifications have to be effected and so on. My request is that when the Government pass a rule let them adhere to them strictly and should not change them to suit individual appointments.

Mr. Puthupalli S. Krishna Pillai: On a point of explanation, Sir. I never made any such statement either this morning or on any other occasion.

Mr. T. Mahomed Ismail: My point is that if Government pass a rule, that should be strictly followed. Don't give a twist to it when the appointment question comes. If according to communal representation a man has to be appointed, let the best man available in that particular community be selected by Government. I can assure my friends here that the Muslim community can boast of the availability of such efficient men to occupy any post. I challenge the departmental heads to say whether their Muslim subordinates are in any way inferior to the members of other communities in the matter of efficiency.

Then I wish to speak a word about nominations of members to Village Panchayats and Bench Magistrate Courts. What I beg to submit is this. Very often, irresponsible people and men of no status whatsoever are nominated to these places, the criteria for selecting such men being that they are helpful to the police officer or some other officer. Some persons come to Trivandrum to exert all sorts of influence on the Government with the result useless people and men of no character are nominated to these posts. I personally know of several instances where nominations have proved quite useless and have become the laughing stock for others. Even in the matter of such minor nominations, let the Government keep up their status and prestige. Let not a voice be heard that the Government are partial to certain people in the matter of nominations, because, those who get the selection are doing all sorts of mischief in moffusil places and thereby endangering the status and prestige of Government. The Government should therefore, bestow proper attention in regard to this matter.

Mr. Nedumangad R. Kesavan Nair: Sir, the honourable member Mr. Simon drew the attention of members while discussing the demand under General Administration that our remarks, as far as possible, should be confined to matters connected with the General Administration. But, within the limited time at my disposal I could make a venture on these lines. Personally I would have liked very much to say something about dubbing the State Congress as disloyal and subversive, but in view of the short time given to me, I do not wish to say about that now. But I would invite the attention of the head of the administration and for that matter appeal to Government that, in certain matters where administrative methods could and should have been more diligent, the Government were and have been indifferent. Is it not a fact that certain officers were found guilty of gross neglect in the discharge of their official work? I have said that once while I was dealing with the University Demand and I repeat it now. Is there an officer in the State, who has got so many shady antecedents as Mr. C. V. Chandrasekharan? Perhaps you are not aware, Sir,—

President: That is not parliamentary.

Mr. Nedumangad R. Kesavan Nair: I withdraw that expression, Sir.

I ask you, Sir, to turn to the back pages of the proceedings of this House and note the very many things that have been said about him on the floor of this House and elsewhere. I do not want to narrate about the Kottayam T. B. incident nor of the articles published in the "Samadarsi" in another connection, nor do I want to wash dirty linen. Let not our children, our young ones have the misfortune of being entrusted to his care in the matter of receiving education. What is it that justify the attitude of the.........

Mr. M. Govindan: May I know whether the member is not washing dirty linen himself?

Mr. Nedumangad R. Kesavan Nair: Probably my friend Mr. Govindan is not aware of those horrible things. If so, he himself would have done the same. If he turns to the back pages of the Proceedings he will find—

President: The honourable member will please proceed.

Mr. Nedumangad R. Kesavan Nair: Proceeding Sir, what is it that has been done. Well he was the Principal of the Science college.

Mr. Puthupalli S. Krishna Pillai: On a point of order. May I know whether in the demand dealing with General Administration and Financial Secretariat a policy relating to some other department can become a matter for serious consideration and thereby for acrimonious attack?

President: The honourable member will please remember that the rules are profectly clear in that no defamatory remarks should be made and that the honourable member should refer to each other with politeness. As a matter of fact, arguments, inferences, ironical expressions, defamatory statements cannot be made on the conduct and character of persons as such except in their official or public capacity and the honourable members will bear that in mind. But, if they infringe that, I shall have to ask them to withdraw those expressions.

Mr. Nedumangad R. Kesavan Nair: But then, Sir, the same courtesy and politeness should be shown by the official members as well. It is a mutual affair. When they indulge in—

President: Order, order. Politness and impolitness are matters which are necessarily limited by the rules of parliamentary debate. The persons may attack each other vehemently with regard to their public character and conduct of policy. But the honourable member is referring to matters which do not appertain to the conduct, character or policy. And it is in regard to these alone that the question of defamatory statements and politeness arises.

Mr. Nedumangad R. Kesavan Nair: For a continuous period of nine years a sort of systamatic misappropriation was going on in the Science College while Mr. C. V. Chandrasekharan was the Principal and that was brought to the notice of head of the administration then while Mr. Chandrasekharan was the Deputy Director of Public Instruction. Interpellations and enquiries were made in this House and submissions were made to Sir Muhamad Habibulla who was the Dewan then. There was a regular uproar from the public.

Mr. M. Govindan: May I know from the member.........

Mr. Nedumangad R. Kesavan Nair: Sir, I don't yield. Now what is the treatment that is given to such an officer? Government have patted him on the back. I shall invite the attention of this House to a passage appearing in the Audit and Appropriation Report for 1112 at paragraph 10, page 168. With the permission of the Chair I shall read it: "Every officer of Government through whose hands Government money passes is expected to maintain correct accounts and this form one of his primary duties in the same way as his executive work. For this purpose a thorough knowledge of the accounts and financial rules is indispensible to him as otherwise he cannot be in a position to exercise an adequate check over his subordinates. If *therefore an officer were to plead in explaining an account or financial irregularity that he was duped by an acconntant or clerk such explanation would generally be inadmissible as it is the duty of the officer to see that his subordinates do their work properly.*" Sir, if Government had adhered to this solemn assurance, Mr. Chandrasekharan should have been dismissed long ago. But, on the contrary, Government are patting him on his back and are according him a treatment which he does not deserve in the least.

Sir, a word about the Direction of Information. I think Mr. Balakrishnan Tampi had his sufficient say about the man. But I have to add a little to what my honourable friend has already said about him. I happened to see an advertisement by the Director of Information in the Government Gazette. This advertisement makes me to say that he is not a man who knows anything about photography and I am at a loss to see whether the articles mentioned in the advertisement are required by the Government for the Photographic Department.

Now, coming to the question of honorarium to be given to an officer which is shown on page 79 of the budget, I want an explanation for that from the Government. Sir, a series of questions were put by me about the Director of Information and I expected that those questions would be answered properly. But Government have not done so, nor have they cared to elucidate us.

[Mr. Nedumangad R. Kesavan Nair.]

A word about the allegations that have been made about the State Congress by the saying that it is "disloyal and subversive." Sir, it is not enough for the Government to dub us as disloyal and subversive for it is equally competent for us to dub the Government Secretatriat as unpatriotic. As was referred to by my friend Mr. Kora, Government have brought forward an allegation that the State Congress was instrumental for the withdrawal of 2½ lakhs or rupees from the Anchal Savings Bank.

President : Order, order. I take it that these various threats made by the honourable member reveal our inability to proceed legally. These allegations were made as warnings and Government have under consideration, legal proceedings to be taken which up till now Government have abstained from resorting to. But this will be initiated if it is found unavoidable.

Mr. Nedumangad R. Kesavan Nair : Sir, I am absolutely unconcerned with that. Sir, you gave an opportunity to the Government member to dub us as disloyal.

President : Quite right.

Mr. Nedumangad R. Kesavan Nair : But that right was denied to us. I just asked a question to the Government Secretary whether he could substantiate by facts and figures the allegations made by him and he said that those allegations were made on confidential information which he got. No Government in the world can make allegations in a legislature against the elected representatives of the people on confidential information received by them, without offering them an opportunity to explain their position. This was most unfairly denied to us.

President : To say that opportunity was not given to the honourable member to have his say is a reflection on the Chair.

Mr. Nedumangad R. Kesavan Nair : No, Sir. I was saying that all these things were denied to us by Government.

President : The honourable member has one minute more

Mr. Nedumangad R. Kesavan Nair ; Sir, another charge has been levelled against us by saying that we went outside the State to ventilate our grievances. Sir, was it not at a time when the Press and the Platform were denied their fundamental rights here in our country that we went out to give expression to our grievances? Sir, we met last Makaram and ordinarily we should have met earlier. The Press was denied their rights and the legal manner to ventilate our grievances in this Council was also denied by not holding the Council in the proper times. Then, I ask, is it a crime on our part if we went out to ventilate our grievances?

Mr. Kottur Kunjukrishna Pillai : Sir, the question that has been canvassed by the members of the State Congress both inside and outside the House is, first of all, that their civil liberties, as they call it, the civil liberties of the people of this State has been curtailed. Sir, it is time to be disillusioned of the complaints from the State Congress. If there is anybody who curtails the civil liberties of the people of the State, it is the State Congress and not the Government. Sir, that fact is borne out by certain incidents that happened in this town of Trivandrum and also by other incidents that is now happening throughout the State. Complaints are emanating from the State Congress members themselves that the Government are not taking prompt and proper action against people who commit wrongs ; and they challenge by Government on that issue. I take it, Sir, that it is a challenge to the Government itself to the effect that the State Congress are responsible for this state of affairs and they ask whether Government have sufficient power to curb their activities and that they are prepared to face the situation. It is the duty of the Government to see that the civil liberties of all the citizens are protected. Mr. Govindan and Mr. Ismail expressed their apprehensions that the State Congress may even usurp the power vested in the Government.

Mr. M. Govindan : Sir, on a matter of personal explanation. I did not say anything about the State Congress usurping all the powers of the Government.

Mr. Kottur Kunjukrishna Pillai : Sir, with regard to the recent prohibitory orders issued by Government I have to make a few observations. What I ask is, are not the State Congress organisation encouraged and emboldened to pursue their undesirable activities by catching up the imagination of the populace by these prohibitory orders? Now the State Congress under the guise of various other organisations such as the Youth League, &c., most of which are bogus organisations, instead of honestly and truthfully facing the question, they call together meetings and address people invoking revolution and civil war. Can this be called honest and open so far as the activities of the State Congress are concerned? Is it fair to the name which they have assumed? Yet they complain that their civil liberties are curtailed. But Government, on the other hand, give them every latitude to pour forth their abuses. What did they loose by prohibiting the State Congress meetings? They have only gained the sympathy of the unthinking public on account of that. That has been the position with regard to the so-called suppression of civil liberties. If there is anybody who suppresses the civil liberties of the citizens, it is the State Congress ; which encourages hooliganism, and promotes rowdyism.

[Mr. Kottur Kunjukrishna Pillai]

Sir, it has been asked why the State Congress has been called subversive and disloyal. I ask, Sir, whether it is not the State Congress which presented a memorial to His Highness the Maharaja some time ago? What was the fate of that memorial? Has it seen the light of day? Was there any precedent of such a memorial being prohibited publication? The simple answer is that the language used in that memorial must have been too low and mean to be placed before the public.

President : The circulation of the document mentioned has been prohibited. But I am aware that about 4 to 5 thousand copies were circulated outside the State.

Mr. K. K. Kuruvilla: May I know from the member whether he objects to the subject matter of the memorial or the language used?

Mr. Kottur Kunjukrishna Pillai : Sir, the memorial was couched in such language that it is not possible to allow it to be circulated and this was the direct outcome of the venum which is being preserved by certain members of the State Congress against the head of the administration and we can very well understand what is behind their public utterances before the mass where they pose the innocence of Christ before crucification.

Mr. N. V. Chacko : May I know who are the Jews?

Mr. K. K. Kuruvilla : Sir, the honourable member has not answered my question.

President : The honourable member is not supposed to know the reasons to prohibit the circulation of the memorial. The fact is that the memorial has been prohibited in the State and the honourable member can draw his own inferences.

Mr. Kottur Kunjukrishna Pillai : I thought Mr. Kuruvilla could know that it is an elementary practice of any civilised Government to suppress filthy documents which relates to the administration of a State. The present memorial is one like that. These State Congress people declared to the masses that they will let loose a non-violent war and the Government must have thought by these series of actions that they were subversive and disloyal. They go out into the country and tell the people that if they were in power they would see that all the needs of the people are promptly attended to in the matter of roads, schools, bridges and other things. They also gave currency to the opinion that the present Government are doing much harm to the interests of the State and it should be soon mended or ended. Sir, actually this

propaganda was being carried on by the State Congress for many months, spreading scandals about the Government throughout the State. And they pretend themselves as apostles of truth. They cry and swear by Mahatma Gandhi. Sir, I am of opinion that the challenge thrown by Mr. Ismail and by my honourable friend Mr. Tampi who said that the State Congress knew the law should be taken up. Sir, these challenges are merely intended to hoodwink the public.

Mr. Kochikal P. Balakrishnan Tampi: Sir, is that parliamentary to attribute motives to honourable members?

President: No, it is a mistake. The honourable member should withdraw it.

Mr. Kottur Kunjukrishna Pillai: I withdraw, Sir. Sir, these things are being done and we should request the Government to make their policy definite with regard to this matter. Now, under prohibition, the State Congress is at an advantage and they loose no chance in disemenating hatred and contempt both in this House and outside.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether the propaganda of the State Congress exceeds the vicious propaganda that is being conducted by the news sheet of which the honourable member is the author?

Mr. M. Govinda Pillai: Sir, in regard to the observation made by the honourable member Mr. Narayana Aiyar that there are variations and differences between the Directory and the Vernacular Almanac, I can only point out that the calculations and computations are made by two distinct organisations and are based on different scientific data. The Government, however, would try to find out how these variations could be obviated and will do the needful in the matter as early as possible.

The question of communal representation has been raised. The attitude of the Government regarding this has been made abundantly clear. The promulgation of the Public Service Recruitment Rules and the appointment of the Service Commissioner have made manifest the object of the Government in the matter of giving equal opportunities to all communities. It is over 2 years since the Commissioner has been appointed and it has been clearly stated that the Government would take the earliest possible opportunity to review the position. After three years the Government will take it up and do the needful to allay existing inequalities. If the honourable members will compare the position of the different communities in the Secretariat or in other offices, during the past 10 years, they will observe that there is a substantial improvement in the condition

[Mr. M. Govinda Pillai.]

of the less represented communities. I have compared the representation of the different communities in the Secretariat in the year 1103 and in the current year 1113 and I am convinced that there is a steady, but probably slow, diminution in the percentage of representation of the over represented communities and there is a corresponding increase in the representation of the less represented communities. Certainly you cannot expect the Government to take under their protecting wings all the communities and leap over the gulf of centuries. Historical circumstances have contributed to the present state of inequalities and the honest attempt that Government would put forth will be to offer equal opportunities to all communities.

A reference was made by Mr. Ismail that the Secretariat clerks are interfering in the matter of appointments of Village Panchayat Judges.

Mr. T. Mahomed Ismail: Sir, a word of personal explanation. I do not make the clerks or the Secretariat people responsible.

Mr. M. Govinda Pillai: Sir, I repudiate the idea contained therein. The Secretariat clerks have only to prepare notes, stating facts and figures and free from all comments, for the orders of the Dewan. The policies of Government are noticed and given effect to by the Dewan and the Secretariat clerks have nothing to do in the matter. Suppose, there is a Mahomedan clerk in the Secretariat. Mr. Ismail should not expect that he would advocate the cause of the Mahomedan community alone. The Government take into consideration all the aspects of a question before they arrive at a decision.

Mr. T. Mahomed Ismail: I was saying about my information and not about the people in the Secretariat.

Mr. S. Krishna Aiyar (*Nominated*): Is it not the Division Peishkars who nominate the Village Panchayat Judges?

Mr. M. Govinda Pillai: Yes, he devotes attention to the consideration of the claims of the different communities and then submit nominations. Government weigh all these before they arrive at a final decision.

Mr. Kesavan Nair enquired what the honorarium to the Honorary Director meant. The honorary Director referred to is the person who is in charge of the Central Vernacular Records. He is Mr. S. Parameswara Aiyar, a retired officer of Government and a scholar of repute in Sanskrit.

Mr. Nedumangad R. Kesavan Nair: Is he not a pensioned officer?

Mr. M. Govinda Pillai: Yes.

Mr. Nedumangad R. Kesavan Nair: Is he given anything in addition?

Mr. M. Govinda Pillai: He is given an honorarium over and above the pension. It is in recognition of his scholarship.

The only other question that I would like to refer to is about the State Congress and similar organisations. Well, Sir, I am not going to repeat what I said on an earlier occasion about these organisations and their activities. Since I spoke on last Monday I don't think events have happened to affect and alter the position of the Government in characterising their activities as I did on a prior occasion. The Members of the State Congress are under the delusion that the entire country is behind them.

Mr. Kochikal P. Balakrishnan Tampi: Let us try.

Mr. R. V. Thomas; May I know whether the Government is ready to take a referendum?

Mr. M. Govinda Pillai: It is not a question of referendum. The Government have ample proof to state that a very large proportion of the population is not in sympathy with the State Congress and its method of propaganda.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether the Government will disperse the Council and determine that?

Mr. M. Govinda Pillai: I still assert that there is a large proportion of the population that do not sympathise with the activities of the State Congress.

Mr. Nedumangad R. Kesavan Nair: Is this information based on 'Malayala rajiyom' and 'Bharathapathrika'?

Mr. M. Govinda Pillai: Certainly not. We have got reliable information from reliable officers.

Mr. Padiyara Joseph Kunju: നിയമസഭാസാമാജികന്മാരുടെ അഭിപ്രായം പൊതുജനങ്ങളുടെ അഭിപ്രായമായി ഗണിക്കുന്നതു ശരിയാണൊ?

Mr. M. Govinda Pillai: I was saying, Sir, that the members of the State Congress should, in their moments of sobriety and moderation, examine the situation and know for certain that they have not a strong following behind them.

The members I repeat, are under an obsession. The very fact that all their meetings have terminated in chaos is proof positive that there is resentment.........

Mr. Nedumangad R. Kesavan Nair : Has the Secretary pondered over the question?

Mr. M. Govinda Pillai : Yes Sir. As a citizen of the State I can appreciate and sympathise with the ideals of the State Congress. What we object to is the method of agitation that they adopt, the deliberate method of disparagement and misrepresentation and the spread of malicious scandals against the State.

Mr. Kochikal P. Balakrishnan Tampi : Sir, a point of order: malicious scandal—is it parliamentary?

President : Did the honourable member refer to any member of this House?

Mr. M. Govinda Pillai : No, Sir, I alluded to the malicious scandal spread by the whole organisation. I have informed the House that the Government have reliable information that the activities of the State Congress have been engineered and financed by individuals and institutions to screen their own iniquities.

Mr. Padiyara Joseph Kunju: ഇവരുമായിട്ട് ഗവണ്മെന്റു വല്ല എഴുത്തുകുത്തുകളും നടത്തുന്നുണ്ടോ?

Mr. M. Govinda Pillai : Government are not aware of any correspondence.

A threat has been held out by Mr. Ismail and some other members that the arm of the Government, if strong, should strike. I can assure the members of the House that the arms of Government are long and strong enough to enforce obedience to Law.

Mr. T. Mahomed Ismail : Sir, it is a request to Government.

President : Quite so. The question before the House is that Government be now granted a sum of Rs. 2,87,111 under demand number XI—General Administration excluding Financial Secretariat, Account Office, Legislative bodies and Public Service Commissioner.

The motion was put to vote and passed.

The grant was made.

President : The question now before the House is that Government be granted Rs. 2,14,892 under demand No. XII—General Administration Financial Secretariat and Account Office.

The motion was put to vote and carried.

The grant was made.

DEMAND No. XIII—GENERAL ADMINISTRATION LEGISLATIVE BODIES.

Mr. M. Govinda Pillai : Sir, I move for a grant not exceeding Rs. 52,499 under demand No. XIII General Administration—Legislative Bodies.

Mr. Nedumangad R. Kesavan Nair : I oppose the demand. My object in opposing the demand is to point out the manner in which the Legislature of this country is being treated. I will be attempting to show that Government have been showing clear slight of the Legislature of this country. As I was submitting just a few minutes back, under ordinary circumstances, the Government should have summoned the Legislative Council if the Government had the least idea to follow precedents much earlier. Moreover the present political atmosphere being so tempestuous, the Government should have called the Council to consult with them and effect speedy measures so that the tempestuous atmosphere may be calmed. Instead of that we are called here now to meet and sit for nearly twenty days together at one stretch. It may be that the Government may offer an explanation that certain Bills were not quite ready. When that comes I will deal with it.

In the matter of answering questions, on the last day I called the attention of the President to the fact that Government are not keen in answering questions and that they are not acting up to the rules relating to the matter. To-day also all the questions that were placed were answered in the course of ten minutes. I brought the fact to the President's attention and the President stated that, as far as possible, the maximum number of questions will be answered. Now, over 200 questions remain to be answered. I am sure that a number of question that are to be answered in this Session would not be answered. Answers should have been given according to the priority in which the questions are given. The Government have no definite plan here also. I submitted that certain questions which have been sent to Government, form the subject matter of enquiries as to how the members of this Legislature got the information. Regarding the Permanent and Temporary garages for the Transport Department I sent a question sufficiently early, but the question was not answered. That matter was delayed and subsequently alterations were made and answers placed before the House. I drew the attention of the Government to this. Subsequently the Government sent a circular to all Departments questioning as to how we members got

[Mr. Nedumangad R. Kesavan Nair]

the information. Government could have placed before us the answer in a straight forward manner stating that some error has been detected, instead of making enquiries as to how we got the information.

President : Order, order : the enquiry was directed to show how the clerks and other officers disclosed information to outsiders; how far they were responsible for giving out information to outsiders.

Mr. Nedumangad R. Kesavan Nair: Sir, are we termed outsiders.

President : Not that : so far as the members are concerned they have no right to get information from clerks.

Mr. Nedumangad R. Kesavan Nair: Sir, the... ... ...

President: Order, order; this question has arisen more than once. The Government are taking the members of the Legislature into their confidence. They put questions and if they find that the Departmental Heads are not candid in their answers, the honourable members can interrogate and cross interrogate. But honourable members of this House are not at liberty to get information from subordinates of the staff. If the clerks or other subordinate officers are found out giving information, they will be dismissed and it is for the purpose of proceeding against the clerks that all these enquiries were made.

The House will now adjourn and meet again on Monday.

The House adjourned at 5 P. M.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS
of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XII—NUMBER 6.
THIRD SESSION —1938/1113-1114.

Monday, the 15th August 1938/31st Karkatakam 1113.

The Council met in the Victoria Jubilee Town Hall at eleven of the Clock with Sachivottama Sir C. P. Ramaswami Aiyar K. C. I. E., the Dewan President in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :—

1. Mr. C. O. Madhavan (*Ag. Chief Secretary to Government*).
2. Mr. E. G. Salter (*Transport Superintendent*).

QUESTIONS AND ANSWERS.

Construction of a road from Puthenkurisu to Chungam.

49. ***Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*) : Will the Government be pleased to state :

(*a*) whether there is a proposal to open a road from Puthenkurisu to Chungam in the Kunnatnad taluk ;

(*b*) whether the construction of the road is begun ;

(*c*) if so, how far the construction of the road has proceeded;

(*d*) the total length of the proposed road ; and

(*e*) if the construction is not yet begun, why it is being delayed ?

Mr. G. B. E. Truscott (*Chief Engineer, Roads, Buildings and Irrigation*) : (*a*) Yes.

(*b*) No.

(*c*) This does not arise, in view of the answer to part (*b*).

(*d*) 5 miles, 3095 feet.

(*e*) for want of estimate which is under preparation.

Mr. N. V. Chacko: Sir, with reference to the answer to part (*b*), may I know from the Government when the construction of the road is likely to be commenced?

Mr. G. B. E. Truscott: I cannot say now when the construction will be begun, Sir.

Inspection of industrial schools in 1110 and 1111.

50. ***Mr. Nedumangad R. Kesavan Nair** (*Trivandrum and Nedumangad cum Chirayinkil*): Will the Government be pleased to state:

(*a*) the total number of inspections conducted in the schools teaching painting, carpentry, smithery and textile during 1110 and 1111 showing the dates of inspection, the schools so inspected and the names of the officers making the inspections; and

(*b*) the number of independent inspections made by the present, Industrial Director, specifying the dates and the schools so inspected by him?

Mr. C. Kumara Das (*Director of Industries*): (*a*) and (*b*) *A statement furnishing the information is laid on the table.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Industrial Engineer, Mr. Varadaraja Sarma, inspected the Carpentry School at Parasala and if so, when the inspection was made?

Mr. C. Kumara Das: Sir, the information is given in the table appended. The officers who made the visit are also given in the table.

Mr. Nedumangad R. Kesavan Nair: May I know whether, in spite of the recommendation made by Mr. Sarma, the Industrial Director has recommended for the continuance of the grant to the L. M. S. school, at Parasala?

Mr. C. Kumara Das: The recommendation is confidential.

Opening a road from the 8th mile of the Perumpavur-Kothamangalam road.

51. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(*a*) whether they have received a petition dated 30-4-1113 from Mr. P. P. Mathai, Kottappadi, Thrikkariyoor, praying that a road may be opened by the Government from the 8th mile in the Perumpavur-Kothamangalam road to the 6th mile in the Koottikkal road; and

(*b*) what action has been taken on the petition?

Mr. G. B. E. Truscott: (*a*) Yes.

(*b*) The petition was forwarded to the Chief Engineer and he has reported that the line suggested by the petitioner is unfit

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* Vide Appendix I.—Page 403.

Government are however prepared to consider the question of opening the road as originally aligned by them provided the interested parties surrender free of compensation the lands required for the same.

Mr. N. V. Chacko: Sir, may I know from whom the move should come with regard to the surrender of lands for the opening of the road ?

Mr. G. B. E. Truscott : I think the move should come from the petitioners or the parties concerned.

Sirkar tanks in Nedumangad taluk.

52. ***Mr. Nedumangad R. Kesavan Nair**: (1) Will the Government be pleased to give a list of Sirkar tanks situated in the Nedumangad taluk specifying their areas, and the number of tanks in each pakuthi showing also the irrigation and Devaswom tanks separately ?

(2) Will they be pleased to state the number of such tanks that are now actually used by the public ?

Mr. G. B. E. Truscott: (1) and (2) The member is referred to pages 87 to 89 of the list of the Irrigation tanks and channels in the State attached to the report of the Minor Irrigation Committee. A copy of the report is placed on the table of the Secretary to the Council. The *list of Devaswom tanks is placed on the table.

Rank in the selective test as criterion for confirmation of candidates in the Public Service

53. ***Mr. Kottur Kunjukrishna Pillai** (*Quilon cum Kunnattur*): With reference to the appointments made by the Public Service Commissioner in the intermediate division, will the Government be pleased to state :

(*a*) whether rank in the selective test is taken as the criterion for confirmation ;

(*b*) whether candidates with lower ranks have been confirmed ;

(*c*) if so, the names of persons confirmed ;

(*d*) the reason for preferring men in the lower ranks to those in the higher rank ;

(*e*) the number of candidates with lower ranks made temporary ;

(*f*) whether candidates with higher ranks were out of employment at that time ; and

(*g*) whether there is any reason for preferring candidates with lower ranks to those with higher ranks ?

**Vide* Appendix II. Page 409.

Dr. G. D Nokes (*Public Service Commissioner*): (*a*) Yes.

(*b*) to (*f*) The labour and time involved in collecting this information in relation to each appointment and each department would not be commensurate with its utility.

(*g*) In the absence of reference to specific instances, it is not possible to indicate the reasons.

Mr. Kottur Kunjukrishna Pillai: May I know from the honourable member whether according to the present rule it is interfering with the claims of the people who hold higher ranks in the matter of confirmation?

Dr. G. D. Nokes: The question of confirmation is decided according to the order in the selective tests. Where candidates are outside the service they cannot be confirmed, and in those cases the confirmation of candidates may have been deferred but is not interfered with otherwise.

Mr. Kottur Kunjukrishna Pillai: Sir, may I know in particular cases, approximately the longest period in which such confirmations have been deferred.

Dr. G. D. Nokes: That is a matter which I cannot answer without reference to the files.

Mr. Kottur Kunjukrishna Pillai: May I know whether the member is aware that considerable hardship is caused on account of the operation of this rule?

Dr. G. D. Nokes: I have shown in my administration report for the year 1112 that the hardship is negligible.

Mr. Kottur Kunjukrishna Pillai: May I know why it is considered negligible?

Dr. G. D. Nokes: When we consider the position before the public service recruitment rules came into operation and compare it with the present position, I think the majority of the candidates are in a better position.

Memorial regarding opening three roads in Edapalli pakuthi

54. ***Mr. G. Narayana Aiyar** (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*): Will the Government be pleased to state:

(*a*) whether they have received a memorial dated 9-11-1112 from the inhabitants of Edapalli pakuthi in Parur taluk for the opening of three roads, *i. e*, 1 Kumarapuram-Palarivattam Road, 2. Edapalli-Arakkakatavu Road, and 3 Perandur-Kallur Road; and

(*b*) what action has been taken by them in the matter?

Mr. G. B. E. Truscott: (*a*) Yes.

(*b*) The subjects were considered, but the works could not be taken up in view of the heavy expenditure involved.

Mr. G. Narayana Aiyar: May I know from the honourable member whether the Government do recognise the necessity for the opening of the roads?

Mr. G. B. E. Truscott: Yes, the Government consider it is necessary to open the roads.

Perumpavur Kuvapady Road.

55. ***Mr. G. Narayana Aiyar:** Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of pupils that pass and repass through the Perumpavur-Kuvapady Road daily for attending the various schools in Perumpavur;

(*b*) the number of other passengers that travel through that road daily for attending the various institutions in Perumpavur;

(*c*) the number of damaged culverts in that road and how long it is since such culverts are in such damaged position and the amount necessary for repairing such culverts;

(*d*) whether any part of that road, *i. e.*, the Perumpavur-Kuvapady road, will be under water during the major part of the rainy season, and, if so, what is the length of such part which will be under water; and

(*e*) whether they have received memorials from the inhabitants of Kunnatnad taluk for repairing that road, and, if so, when such memorials were received and what action was taken by the Government in the matter?

Mr. G. B. E. Truscott: (*a*) 200 nearly;

(*b*) 200 nearly on ordinary days and about 500 on market days.

(*c*) Four culverts are damaged since 8 years. The cost of repairs of these will come to Rs. 5,500 nearly.

(*d*) Yes. Three embankments of a total length of about 1,500 feet.

(*e*) Yes. On 19-9-1113 a petition was received. A preliminary investigation has been made.

Mr. G. Narayana Aiyar: In view of the fact that a large number of students travel through the road, may I know from the honourable member, with reference to the answer to part (*e*) whether it is not absolutely necessary to construct culverts as early as possible?

Mr. G. B. E. Truscott: The answer is that we are corresponding with the Division Officer.

Mr. G. Narayana Aiyar: May I know whether the honourable member has ever visited the road ?

Mr. G. B. E. Truscott: I don't think I have, Sir.

Mr G. Narayana Aiyar: The answer to part (*d*) says that three embankments of a total length of about 1500 ft. will be under water during the major part of the rainy season. May I know the amount that will be necessary for raising the embankments ?

Mr. G. B. E. Truscott: About Rs. 14,500.

Mr. G. Narayana Aiyar: May I know whether the Chief Engineer will find it convenient to visit the road at an early date to understand the difficulties experienced by the people ?

Mr. G. B. E. Truscott: Sir, I cannot promise now.

Rule 45 of the Public Service Recruitment Rules.

56. ***Mr. Kottur Kunjukrishna Pillai**: Will the Government be pleased to state whether they have received representations complaining against the operation of rule 45 of the Public Service Recruitment Rules ?

Dr. G. D. Nokes: Yes.

Mr. Kottur Kunjukrishna Pillai: May I know whether any action has been taken on this representation ?

Dr. G. D. Nokes: A minor amendment has been made to rule 45, which was published in the Government Gazette and the addenda to the Recruitment Manual.

Expenditure on certain public works in Parur taluk.

57. ***Mr. N. V. Chacko**: Will the Government be pleased to state whether the amount granted for 1113 for the following works in the Parur taluk have been spent on them during the year;

(i) improving the village road from Parur to Kuriappally with culverts and bridge ;

(ii) opening a road from Manjaly to Thadicalkadavu; and

(iii) reconstructing collapsed culverts in Vadakkekara-Munambam road ?

Mr. G. B. E. Truscott: (i & iii) The amounts will be spent during this year.

(ii) Yes.

Mr. N. V. Chacko: With reference to the answer to part (i) and (iii), may I know whether the amounts were not spent during the last year ?

Mr. G. B. E. Truscott: The answer is that the amount will be spent this year, that is the year that ends to-day.

Appointments of clerks made by the Public Service Commissioner in certain Departments.

58. ***Mr. T. Muhammed Ismail** (*Nominated*): Will the Government be pleased to lay on the table a statement by caste of appointments made by the Public Service Commissioner, in the clerical grade in each of the offices mentioned below:—

(*a*) Secretariat;
(*b*) Financial Secretary's Office;
(*c*) Account Office; and
(*d*) Public Service Commissioner's Office;

Dr. G. D. Nokes: A *statement by community of recruiments advised by the Public Service Commissioner is laid on the table.

Trans er of Mr. Ramachandra Rao and Rao Bahadur Rengaswami Aiyar.

59. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) why Rao Bahadur A. Rengaswami Aiyar Avl., was transferred from the post of Financial Secretary to Government to that of the Account Officer; and

(*b*) why Mr. M. Ramachandra Rao was transferred from the Account Department to the post of the Financial Secretary?

Mr. K. J. Cheriyan (*Ag. Financial Secretary to Government*): (*a*) and (*b*). The transfer of Rao Bahadur A. Rengaswami Aiyar, B. A., Financial Secretary to Government as Account Officer was ordered with a view to enable his services being utilised for an examination and modernization, if necessary, of the accounts department also. The transfer was suggested by a non-official member of the Sri Chitra State Council at a previous Session.

Mr. N. V. Chacko: May I know whether there is any difference in position or status between the Financial Secretary and the Account Officer?

Mr. K. J. Cheriyan: Yes. There is.

Mr. N. V. Chacko: May I know who is the senior Officer?

Mr. K. J. Cheriyan: The Financial Secretary, Sir.

Assault on Mr. K. P. Nilakanta Pillai.

60. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether Mr. K. P. Nilakanta Pillai B. A., B. L., Ex-Member, Legislative Assembly, has been assaulted in the morning of the 17th June 1938 at Trivandrum; and

(*b*) whether they are making any enquiry into it?

* *Vide* Appendix III. Page 410.

Mr. M. Ramachandra Rao (*Ag. Commissioner of Police*): (*a*) Yes.

(*b*) Yes.

Mr. N. V. Chacko: May I know whether Mr. K. P. Nilakanta Pillai is not the Joint Secretary of the Travancore State Congress?

Mr. M. Ramachandra Rao: May be, I do not know.

President: Order, order. How is it relevent to this matter?

Mr. N. V. Chacko: For the identification of the person, Sir.

President: He is identified only as an Ex-member of the Legislative Assembly.

Mr. Nedumangad R. Kesavan Nair: May I know to which Police Station he presented himself soon after the incident?

Mr. M. Ramachandra Rao: The Cantonment Police Station.

Mr. Nedumangad R. Kesavan Nair: May I know the name of the Police Inspector who was in charge of the Station at that time?

Mr. M. Ramachandra Rao: Mr. Lattiff.

Mr. Nedumangad R. Kesavan Nair: May I know whether there were assaults on other members of the State Congress?

Mr. M. Ramachandra Rao: Sir, I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know whether cases of burglary in the house of State congress members were reported at this time?

Mr. M. Ramachandra Rao: I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know whether Mr. Lattiff is now on leave?

Mr. M. Ramachandra Rao: Yes.

Mr. Nedumangad R. Kesavan Nair: May I know whether he took leave of his own accord or under instructions?

Mr. M. Ramachandra Rao: Of his own accord.

President: Order, order, honourable member has no right to answer that question.

Thondankulangara-Ariad Munrolight road

61. ***Mr. Kochickal P. Balakrishnan Tampi** (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertala*): Will the Government be pleased to state:

(*a*) when the construction of the Thondankulangara-Ariad Munrolight road, Ambalapuzha taluk, was sanctioned;

(*b*) when the work was ordered by the Government to be taken in hand;

(*c*) when the work was actually commenced ;

(*d*) the nature of the work carried out till Edavam end, 1113 ;

(*e*) the total amount spent till the above date ;

(*f*) when orders were issued for the acquisition of lands for the road ; and

(*g*) whether the acquisition proceedings have been completed?

Mr. G. B. E. Truscott: (*a*) On 20-10-1937.

(*b*) This year 1113 M. E.

(*c*) In Kumbham 1113.

(*d*) Material supply for road work as far as practicable and completion of one culvert in 2/1 mile of the road.

(*e*) Rs. 796 booked expenditure, though Rs. 1,500 worth of work is done.

(*f*) On 22-12-1937.

(*g*) No, they are only in progress.

Typiss appointed according to the Public Service Recruitment Rules.

62. ***Mr. T. Muhammed Ismail**: Will the Government be pleased to furnish a statement, by caste, of the number of typists and clerk-typists appointed in the public service according to the Public Service Recruitment Rules and the number of Muslim applicants for the above posts?

Dr. G. D. Nokes: A *statement furnishing the information is laid on the table.

Mr. T. Muhammed Ismail: May I know the total number of candidates who applied for the post of Malayalam Typists?

Dr. G. D. Nokes: Fifty-two.

Mr. T. Muhammed Ismail: Sir, May I know the reason why the solitary Muslim candidate was not selected?

Dr. G. D. Nokes: Because he was inferior in qualification and experience to those selected.

Mr. T. Muhammed Ismail: Is it the rule that if a candidate applies for more than one post she should not be given any one?

Dr. G. D. Nokes: I have not heard of it.

Grant of permission to visit Mr. A. Narayana Pillai in jail.

63. * **Mr. Nedumangad R. Kesavan Nair**: Will the Government be pleased to state:

(*a*) the names and addresses of the persons who were allowed to visit Mr. A. Narayana Pillai, Advocate, in the Central Prison specifying the dates of such visits; and

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**Vide* Appendix IV—Page. 411.

(b) the names and addresses of the applicants who prayed for being allowed to visit him, with the dates of such applications and the orders thereon?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*): (a) The children of Mr. A. Narayana Pillai and his brother Mr. A. Sankara Pillai, Advocate, were allowed to interview Mr. Narayana Pillai on 4-12-1113.

(b) Mr. K. Krishnan Oonnithan and Mr. A. Sankara Pillai applied on 23-9 1113 and 28-9-1113 respectively for interview with Mr. A. Narayana Pillai after his conviction. Their requests were not granted being not permissible then under the Jail Rules.

Mr. Nedumangad R. Kesavan Nair: May I know from the Government whether permission was refused to the relatives of Mr. A. Narayana Pillai as per rules?

Mr. M. Govinda Pillai: Sir, there was an application from Mr. A. Sankara Pillai and in exercise of his discretion the Jail Superintendent did not grant him permission.

Mr. Nedumangad R. Kesavan Nair: May I know whether Mr. A. Sankara Pillai addressed the Government seeking permission to visit Mr. Narayana Pillai?

Mr. M. Govinda Pillai: Yes, Sir.

Mr. Nedumangad R. Kesavan Nair: Then, May I know whether Government thought it fit to reply?

Mr. M. Govinda Pillai: Yes: he was directed to apply to the Jail Superintendent.

Mr. Nedumangad R. Kesavan Nair: Sir, May I know whether the interpretation of the law that a man confined in the prison should be allowed to be seen once in three months relates from the date of the incarceration?

Mr. M. Govinda Pillai: Sir, that question has not been decided. It is a matter entirely resting with the discretion of the Jail Superintendent to interpret that rule.

Mr. Nedumangad R. Kesavan Nair: May I know whether that question is now decided or is it now under consideration?

Mr. M. Govinda Pillai: That question has not been taken up, because there is no problem which has arisen on account of that rule.

Appendix I.

Vide Answer to Question No. 50.

Statement giving the full details of inspection of the Industrial Schools in 1110 and 1111.

No.	Names of Schoo	Names of Officers who made the inspections in 1110 and 1111.	No. of inspections with dates.	No. of independent inspections made by the present Director of Industries specifying dates.
1	Puthalam Orphanage Industrial School.	Tex ile Expert.	20-2-10 & 22-5-11	...
2	Kanimadom Weaving School.	do.	13-4-110	23-3-36
3	Neyyoor Weaving Institute.	do.	20-2-10 & 20-5-11	...
4	St. Joseph's Weaving School, Puthenkada	do.	19-2-10 & 23-5-11	...
5	K. R. V. Weaving Institute, Meckamandapom	do.	19-2-10 & 22-5-11	...
6	Y. M. C. A. Industrial School, Martandam	do.	19-2-10 & 23-5-11	...
7	Sahayavilasom Weaving School, Piracode	do.	18-2-10 & 21-12-10	1-4-36
8	Ramalavilasom do. Kollencode.	do.	26-1-10 & 5-3-11	do.
9	St. Joseph's Weaving School, Pulluvila.	do.	19-1-10 & 22-1-11	do.
10	Dharma Vilasom Weaving School, Pariswakal	do.	11-4-10 & 30-3-11	...
11	Thirupuram Weaving School	do.	... 17-7-11	1-4-36 & 22-6-36
12	Sree Velayudha Vilasom Weaving School Arumannur.	do.	21-1-10 & 21-12-10	...
13	Kuttamunnathu Weaving School	do.	do. 20-12-10	26-2-36
14	Little Flower Weaving School, Pulluvila.	do.	19-1-10 & 26-2-11	1-4-36

Appendix I—(*contd.*)

No.	Names of Schools.		Names of Officers who made the inspections in 1110 & 1111.	No. of inspections with dates.	No. of independent inspections made by the present Director of Industries specifying dates.
15	Muttakad Weaving School	...	Textile Export	6-3-10 & 17-12-10	22-6-36
16	Kalathanni do.	...	do.	21-12-10 ...	26-2-36
17	Vittivila do.	...	do.	2-3-10 & 29-3-11	...
18	Chenkal do.	...	do.	29-1-10 & 29-3-11	...
19	Chempur do.	...	do.	25-1-10 & 8-1-11	...
20	Kodankara do.	...	do.	29-1-10 & 2-2-11	1-4-36
21	Paraniyam do.	...	do.	20-1-10 & 21-12-10	...
22	Adventpuram do.	...	do.	22-1-10 & 29-3-11	...
23	Arayoor do.	...	do.	22-1-10 & 10-1-11	...
24	Sri Rama Vilasom Weaving School, Balaramapuram	...	do.	20-1-10 & 29-3-11	26-2-36
25	Kottukal Charivuvila Weaving School Balaramapuram	...	do.	19-1-10 & 29-3-11	12-8-36
26	L. M. S. Carpentry School, Parassala	...	Industrial Engineer	... 19-6-11	26-2-36
27	Sri Chitra Vilasom Weaving School, Venganoor	...	Textile Export	6-3-10 & 25-2-11	...
28	Kulathoor Weaving School	...	do.	26-1-10 & 14-4-11	...

Appendix I—(*contd.*)

No.	Names of Schools.	Names of Officers who made the inspections in 1110 & 1111.	No. of inspections with dates.	No of independent inspections made by the present Director of Industries specifying dates.
29	Sri Yesu Asramam Weaving School, Kunnapuzha ...	Textile Expert	... 14-4-11	...
30	Sarvamangala Industrial School, Palkulangara ...	do.	17-2-10 & 30-3-11	...
31	R. V. Drawing & Painting Institute, Fort, Trivandrum ...	Superintendent. School of Arts	... 30-3-11	...
32	St. Mary's Weaving School, Poonthura ...	Textile Expert	... 9-2-11	..
33	Sri Padma Vilasom Weaving School, Srivaraham ...	do.	17-2-10 & 9-2-11	...
34	Sri Krishna Vilasom do. Nedumangad ...	do.	8-3-10 ...	...
35	Das Vilasom do. Chullimannoor ...	do.	26-4-10 & 23-2-11	30-1-36 & 19-3-36
36	S. N. D. S. Orphanage Weaving School, Varkala ...	do.	... 12-7-11	...
37	Shunmukha Vilasom Weaving School, Keezattingal ...	do.	7-30-10 & 27-12-10	...
38	Bhagavathy Vilasom Weaving School Chirayinkil ...	do.	27-12-10 ...	...

Appendix I—(*contd.*)

No.	Names of Schools.	Names of Offices who made the inspections in 1110 and 1111.	No. of inspections with dates.	No. of independent isnspections made by the present Director of Industries specifying dates.
39	Attingal Weaving Institute ...	Textile Expert.	... 14-6-1111	7-7-1938
40	Sri Krishna Vilasom Carpentry School, Keezattingal ...	Industrial Engineer.	... 30-1-1936	2-3-1936
41	Sri Sarada Vilasom Smithery School, Coonthalloor ...	Do.	... Do.	...
42	Pulimath Krishna Vilasom Weaving School ...	Textile Expert.	8-2-1110 & 10-12-1110	2-7-1936
43	Nazareth Orphanage Weaving School, Ithicara ...	...	... ...	3-2-1936
44	S. K. V. Industrial School, Paravoor ...	Textile Expert.	... 21-4-1111	...
45	R. V. School of Painting, Mavelikara ...	Superintendent, School of Arts.	29-3-1110 & 23-11-1111	...
46	Onattukara Weaving School ...	Textile Expert.	... 26-6-1111	3-3-193
47	Chettikulangara Mat Weaving School ...	Do.	6-2-1110 & 17-7-1111	...
48	St. Joseph's Weaving Institute, Changanachery ..	Do.	4-2-1110 & 7-12-1110	

Appendix I—(*contd.*)

No.	Names of Schools	Names of Officers who made the inspections in 1110 and 1111.	No. of inspections with dates.	No. of independent inspections made by the present Director of Industries specifying dates.
49	St. Patrick's Weaving School, Mundakayam ..	Textile Expert.	... 21-6-1111	5-2-1936
50	C. M. S. Weaving School, Thiruvalla ...	do.	4-2-1110 ...	4-2-1936
51	St. Mary's Weaving School, Kallooppra ...	do.	4-2-1110 & 6-12-1110	10-2-1936
52	Padmodayam Weaving School, Pirallasseri ...	do.	5-2-1110 & 6-12-1110	do.
53	C. M. S. Industrial School, Kottayam ...	Industrial Engineer.	20-12-1935 ...	6-2-1936
54	Pampady Weaving School ...	Textile Expert.	3-2-1110 & 7-12-1110	5-2-1936
55	Kumara Vilasom Weaving School, Kumarakom ...	do.	3-5-1110 & 8-12-1110	...
56	Thuravoor Weaving School ...	do.	11-3-1110 & 24-6-1111	...
57	Bhagavathy Vilasom Weaving School, Uzhuva ...	do.	10-3-1110 & 25-6-1111	...
58	Coir Industrial School, Thycattusseri ...	Textile Expert Industrial Engineer.	... 25-6-1111 14-12-1934 ...	... ...

Appendix I—(*contd.*)

No.	Names of Schools.	Names of Officers who made the inspections in 1110 and 1111.	No. of inspections with dates.	No. of independent inspections made by the present Director of Industries specifying dates.
59	Lekshmy Vilasom Weaving School, Thuravoor ...	Textile Expert.	11-3-1110 & 24-6-1111	...
60	Vechoor Subhodayam Weaving School ...	do.	... 5-2-1111	...
61	St. Rita's Weaving School, Kottoor ...	do. and Industrial Engineer.	... 10-7-111 30-4-1110	4-3-1936
62	Pizhaku Nirdhanamitram Cottage Industrial School ...	Textile Expert.	4-5-1110 & 16-7-1111	...
63	St. Thomas Weaving School, Mookannoor ..	do.	... 22-6-1111	...
64	Holy Family Industrial School, Karukutty ...	Textile Expert and Director of Industries.	... 23-6-1111 19-12-1934 ...	7-4-1936
65	Alwaye Settlement Carpentry School ...	Industrial Engineer.	16-12-1935 ...	8-2-1936

Appendix II.

***Vide* Answer to Question No. 52**

List of Devaswom tanks in the Nedumangad taluk, Valiachala Group.

S. No.	Name of Devaswom.	Pakuthi.	Survey No.	Area.		Remarks.
				Acre.	Cent.	
1	Pazhavadi Ganapathi	Nedumangad	1737/3	...	49	Used by the Public (Hindus alone)
2	Kulappada	Uzhamalakal	3370/4	...	65	Not used by the public at present. It would be useful for the Hindu public alone if it is restored.
3	Veeranakavu	Veeranakavu	240/2	...	38	Do.
4	Thirkanjirapuram	Kulathummel	1765	4	75	Do. This includes the area of the Devaswom compound also. Area of the tank alone is approximately taken as 25 cents.

Appendix III.

Vide Answer to Question No. 58

Recruitments advised by the Public Service Commissioner from 1-2-1112 to 31-11-1113 to the Secretariat, Financial Secretariat, Account Office and Public Service Commissioner's Office in the clerical grades.

Community.	Secretariat		Financial Secretary's Office.	Account Office.					Public Service Commissioner's Office.
	Clerk-typist Rs. 20-25	Malayalam Typist Rs. 20-25	Typist Rs. 20-25	Clerk Rs. 25-40	Clerk Rs. 20	Typist Rs. 25-40	Typist Rs. 20-25	Clerk-typist Rs. 20-25	Clerk Rs. 25-40.
Brahmin	...	..	..	2	..	..	1	..	1
Nayar	1	2	..	12	..	1	1	..	4
Kammala	..	..	..	1	..	..	...	..	..
Nadar	..	..	..	1	...	..	...	..	..
Ezhava	.	..	1	8	..	..	...	..	..
Pulaya	..	...	...	..	..	..	...	..	..
Other Hindus	..	..	..	5	..	..	...	..	1
Muslim	...	..	..	2	..	..	...	..	..
Jacobite	..	..	..	2	..	..	...	..	1
Marthomite	..	..	..	4	..	..	...	..	1
Syriac Catholic	..	1	..	8	..	..	...	..	..
Latin Catholic	..	..	..	3	1	(shroff)	...	1	2
S. I. U. C.	1	1	..	5	..	...	...	1	..
Other Christian	..	..	..	4	..	...	..	...	1

Appendix IV.

***Vide* Answer to Question No. 62.**

ecruitments advised by the Public Service Commissioner to the positions of typists and clerk-typists from 1-2-1112 to 5-12-1113.

Community..	Typist Rs. 25-40	Typist (Malayalam.) Rs. 20-25.	Clerk-typist Rs. 25-40	Clerk-typist and typist Rs. 20-25.
Brahmin ...	4	...	...	*20
Nayar ...	4	4	1	15
Kammala ...	1	...	...	5
Nadar	...	..	...	1
Ezhava	2	..	...	6
Pulaya ...	...	...	...	...
Other Hindu ...	1	...	...	7
Muslim ...	...	...	...	1
Jacobite ...	...	...	...	2
Marthomite ...	1	...	...	3
Syriac Catholic ...	...	1	..	2
Latin Catholic ...	...	...	...	3
S. I. U. Church ...	1	1	1	4
Other Christian ...	...	...	...	2

No. of applications from Muslim candidates.

4* 1 3* 2*

(*) Some candidates have applied for more than one position.

Notice of Adjournment Motion.

President: I have received notice of an adjournment motion—

> "To discuss a matter of urgent public importance, namely, to bring to the notice of the house and Government the acts of terrorism perpetrated by members of the Travancore State Congress particularly the assault of Mr. Mahomed Kunju Lebba, editor of the Malaylam and a supporter of the All-India Muslim League."

I would like to hear the Police Commissioner on the matter.

Mr. M. Ramachandra Rao: I received the report last night. The assailants are said to be 3 Christians. One of them has been apprehended already, and the other two are being traced. That is all the information I am able to give just now.

President: Is the case *sub-judice* ?

Mr. M. Ramachandra Rao: Yes, Sir.

President: Therefore the question cannot be raised on the floor of the House.

Thursday, 2nd Chingam 1114 being declared a holiday for the Council.

Mr. K. K. Kuruvilla: Sir, Thursday, the 2nd of Chingam 1114 is a public holiday. I request that it may be declared a holiday for the Council also.

Mr. Kottur Kunjukrishna Pillai: On the 2nd of Chingam comes off *Ashtamirohini* and we would like to have a holiday.

Mr. M. Govindan: Yes, Sir, a holiday. (*Laughter.*)

President: It was thought that honourable members might not like to be staying here too long for concluding the business of this House, and would like to return home sooner. If honourable members want Thursday to be a holiday, it is not my desire to force business on them. Therefore, the 2nd of Chingam will be a holiday for the Council also, and the agenda fixed for that day will be postponed to the next day, the 3rd Chingam 1114.

ELECTION TO THE STANDING FINANCE COMMITTEE AND THE PUBLIC ACCOUNTS COMMITTEE.

President: I may remind the honourable members that the elections to the Standing Finance Committee and the Public Accounts Committee will take place this evening after the Council rises, under the Chairmanship of Mr. M. Govindan.

VOTING OF DEMANDS FOR GRANTS.—(*contd.*)

DEMAND XIII—LEGISLATIVE BODIES.—(*contd.*)

Mr. Nedumangad R. Kesavan Nair: Sir, I was referring to the slighting of the members of the Legislature, by the Government, by not answering questions properly, and also by not taking the members of the Legislature into their confidence even when important questions touching the finances of the State were being considered by them. During the last Budget Session, Government announced that they were going to take up commercial transport and start a university for Travancore, and urged that the university was well nigh an accomplished fact? I brought it to the attention of Government that at least in important matters, the Legislature should be treated in the manner it deserves. There was a Press Note about the proposal to hand over some of the Major Treasuries of the Government to the Imperial Bank. In that matter also Government did not take us into their confidence, and I was put to the necessity of bringing it to the notice of the Government by means of an adjournment motion. There are also various other schemes involving heavy expenditure which also the Government undertook without consulting us. There are still many other schemes which the Finance Committee, consisting of members elected by the two Houses of the Legislature, turned down, but which the Government, regardless of the opinion of the Finance Committee, pushed through. There are also very many other items of expenditure which were not brought to our notice at all but were certified by the Government under Section 32. Sir, I have no time; otherwise I could have given numerous instances of such slighting of the members of the Legislature. I request you, Sir, to be so good as to consider these points.

Another fact which I would like to submit to you, most painfully, Sir, is the step-motherly treatment which the Government are according to certain members of the Legislature. Members who play second fiddle to all the tunes played by the Government............

Mr. Kottur Kunjukrishna Pillai: On a point of order, Sir; under Rule 28, no member can attack another member. The honourable member has made a reference to certain honourable members of the Legislature as "members who play second fiddle"; that expression clearly comes under Rule 28.

Mr. Nedumangad R. Kesavan Nair: I am sorry if I have wounded Mr. Kottur Kunjukrishna Pillai. (*Laughter.*)

President: Order, order.

Mr. Kottur Kunjukrishna Pillai: That is another insinuation, Sir.

President : Under Rule 28, the subject matter of every speech must be strictly relevant to the business of the House, and one member must not level a charge against another member. I hold that the charge "of playing or dancing second fiddle" amounts to alleging that certain honourable members are not acting according to their conviction but are acting as dictated by others. Such a statement regarding honourable members of this House is defamatory. The honourable member Mr. Kesavan Nair will therefore withdraw the expression.

Mr. Nedumangad R. Kesavan Nair : Yes, Sir, I withdraw.

Anyway, Sir, it is clear that certain members are taken into the confidence of Government while certain others are thrown out as minor frys. Certainly, I do not mind if the Dewan invites certain members for any domestic or private function ; but, in matters in which public interests are involved, on which we all have an equal right to be heard, if the Government select certain members alone and then say that they have consulted the Legislature, that, to say the least.........

President : Will the honourable member specify an instance?

Mr. Nedumangad R. Kesavan Nair : In regard to the University Scheme, Sir, about which so many honourable members of this House had expressed their opinion, Mr. Kottur Kunjukrishna Pillai was invited as a member of the State Council while so many others who knew more and who had very many suggestions to make about the university were not invited. Similarly, from the other House, Government selected only certain honourable members. It seems to borrow the expression of the Pro-Vice-Chancellor—the Dewan who presided over the conference, delivered "a clear and cogent speech" about the necessity for a university for Travancore. Now, Sir, what is it that precludes us from listening to such a speech? What have we done to be deprived of such privileges ? As I submitted, Sir, I have no quarrel or complaint if for a purely private function—for example, the dinner party given by the Dewan in honour of Sir Mahomed Yakub—only certain honourable members are invited.

President ; I do not think the honourable member is entitled to refer to the attendance at a dinner party given by the Dewan.

Mr. Nedumangad R. Kesavan Nair : I am not speaking a word about it. I am only saying that I have no complaint.........

President: : Even by saying "I am not speaking a word about it", honourable member need not refer to it again.

Mr. Nedumangad R. Kesavan Nair: Then again, Sir, some of us are not invited to certain important functions for which we have got a right to attend, for instance, at the *Kal Nattu* ceremony in connection with the ensuing Pallikettu, while even the representative of the A. A. I., was invited, Government did not think it fit.........

Mr. M. Govinda Pillai: The representative of the A. P. I. was not invited at all for that function.

President: What have the Government got to do with it? It was purely a Palace function.

Mr. M. Govinda Pillai: Only levee officers are expected to be present at such functions.

Mr. Nedumangad R. Kesavan Nair: I accept the correction, Sir.

Mr. Puthupalli S. Krishna Pillai: This is not a matter which can be discussed on the floor of the House.

President: No ; it is a matter concerning His Highness' household.

Mr. Nedumangad R. Kesavan Nair: I shall drop it, Sir.

One other point to which I want to draw the attention of the House is the method adopted by the Government by which certain non-official members of the Legislature are not allowed the free exercise of their independent judgment, either in ventilating their views or in exercising their votes. Sir, I am referring to my "poor" friend, Mr. Simon. Since he became a member of this House he was appointed Government Pleader, but was allowed to continue as a non-official member of this House, and to take part in the business of the House. On a former occasion I brought it to the attention of the President as to whether Mr. Simon could continue as a non official member of this House and whether, by his so continuing, we were not deprived of one non-official member. The President then ruled that Mr. Simon was entitled to continue as a non-official member, and also pointed out the analogy between Mr. Simon and the President himself when he was a non-official member of the Madras Legislative Council. Sir, think of the analogy?

President: I distinctly remember that took place. The honourable member raised a question, when Mr. Simon was appointed to a part-time office, whether he was entitled to sit on the non official benches. I said that he was a non-official and continued to be a non-official since he had been appointed only to a part-time office. I also stated that that was not uncommon because, everywhere, including the Attorney-General in England and the Advocate-Generals in the Presidencies, the same thing happened. That was the ruling given by the Chair.

Mr. Nedumangad R. Kesavan Nair: Yes, Sir, I do not question it. I am merely referring to that analogy between Mr. Simon here and Sir C. P. Ramaswami Aiyar while he was Advocate-General in Madras. It is preposterous to bracket those two names together ?

Sir, in the other House also there is one non-official member, Mr. Joseph Vithayathil, who draws emoluments from the Government as a Lecturer in the Law College, and continues to occupy a seat in the non-official benches of the Assembly.

I would like to bring another fact also to the attention of the Government. Sir, when we ask questions, we really want to elicit information. I am sorry, Sir, that very often, incorrect answers are furnished. At question time, in reply to a question put by my honourable friend Mr. Anirudhan whether all the cots in the General Hospital were not full of bugs, the Surgen-General replied that it was not so. Sir, I am personally convinced that there is not one ward or cot in the General Hospital which is free from bugs.

Mr. N. V. Chacko: Has the honourable member satisfied himself about the matter ?

Mr. Nedumangad R. Kesavan Nair: Yes ; I would invite the Dewan to make a surprise visit and to verify the truth of my statement.

Mr. Puthupalli S. Krishna Pillai: Where is the guarantee that the bugs that may be now found in the General Hospital were there at the time the Surgeon-General made the statement in the House that there were no bugs in the General Hospital ? (*Laughter.*)

President: The question of bugs is not now relevant.

Mr. Nedumangad R. Kesavan Nair: With regard to many other questions also, some of the answers furnished were not correct. In reply to a question put by me to the Secretary to Government as to whether the present Director of Information knew anything about piano tuning, without relaxing any of his muscles, he said that he knew.

President: Honourable member cannot recussitate questions and answers like that. The question was put and was answered ; either it is right, or it is wrong. There are methods by which that can be raised formally. If any honourable member thinks that an answer is wrong, he may afterwards raise it as another question and elicit an answer. At present the questions and the answers stand.

Mr. Nedumangad R. Kesavan Nair: I merely wanted to invite your attention to this matter, and I request you to verify, by a reference to Miss Watts or to Miss Ouverkirk who know something about pianotuning, as to whether the Director of Information knows anything about piano tuning.

Mr. M. Govinda Pillai: May I make a personal explanation Sir?

President: Order, order. The question of piano tuning, or of the knowledge of it on the part of the Director of Information should be raised in proper form at the proper occasion; not now.

Mr. Nedumangad R. Kesavan Nair: Resolutions passed by the Legislature are not given effect to. Resolutions have been passed to the effect that the market tolls and the P. W. D. tolls should be abolished. But nothing has been done. It is for us to pass resolutions; but there is not a single case in which Government have paid heed to our resolutions.

I have nothing more to add except to point out to you, Sir, that, though the impression in the country is that we the members of the Legislature can get things done by the Government, we know that absolutely nothing can be achieved by us at present. We alone know how imbecile we are.

President: Powerless, or imbecile?

Mr. Nedumangad R. Kesavan Nair: Powerless, Sir.

President: Not imbecile (*Laughter*.)

Mr. Nedumangad R. Kesavan Nair: No.

Mr. P. R. Godavarma Raja: Sir, I am not at all in agreement with Mr. Kesavan Nair. As regards the University Conference, we all know that the two Houses were adequately represented there, and it is a falsehood to say that it was not so. Mr. Kottur Kunjukrishna Pillai, an honourable member of this House, was invited to attend the conference. Again, Mr. K. G. Kunjukrishna Pillai of the other House was invited to that conference.

President: No more dinners, please.

Mr. P. R. Godavarma Raja: I am not at all concerned with dinners, Sir. What I want to point out is, that the Legislature was fully represented and was given ample scope to discuss all facts relating to the university. This is what I wanted to say about the matter raised by my friend Mr. Kesavan Nair.

Mr. P. I. Simon (*Municipal Councils*): Sir, I support the grant. In opposing the grant my honourable friend Mr. Kesavan Nair attempted a chain of arguments, all of which are untenable and unsustainable. Not one of them did he complete. I admire his fairness in having left each one of them halfway when the shallowness of it was pointed out to him.

Mr. Nedumangad R. Kesavan Nair: May I know who pointed it out to him?

President: Order, order. The honourable member has not yielded his place.

Mr. P. I. Simon: Sir, this is not the first time that he has been trying to sling mud, at respectable persons.

President: Order, order. Though "slinging mud" by itself does not come within the rule, as it may lead to a certain amount of implication that the person who slings mud is in the habit of making defamatory statements, I think it will be a personal charge against the member. So the honourable member should not use the expression "slinging mud." He will withdraw.

Mr. P. I. Simon: I withdraw, Sir. He has been indulging in defamatory remarks about respectable persons by saying that he does not want to say this and that. I refer to the occasion when Mr. Kesavan Nair took it into his head to attack the Pro-Vice-Chancellor of the University.

Mr. Nedumangad R. Kesavan Nair: Is it relevant Sir?

Prssident: References to previous utterances of the honourable member as illustrative of the present attitude are relevant.

Mr. P. I. Simon: He said "I refrain from referring to this" and "I refrain from referring to that." The insinuations contained in them were much too dirty for a respectable man to make.

President: I can quite understand the honourable member's feeling in the matter. But he ought to remember that whatever other honourable members might have done, all honourable members are expected to observe what may be called the general proprieties. They are now and then departed from but I think it will be well to observe the general proprieties in order to keep up the traditions of this House. There are many ways of putting the same matter. "Slinging mud" was the expression used by the honourable member but then he modified it by saying "indulging in defamatory remarks." That is quite within parliamentary practice. The honourable member is a man of sufficient experience to know that he could use only proper and decorous expressions and that whatever might be said of other persons, it should not be said of the lawyer that he is, that he used expressions which are outside the purview of parliamentary practice.

Mr. P. I. Simon: The argument that was attempted to be put forward by Mr. Kesavan Nair was that the members of the two Houses of the Legislature were not consulted by Government on certain occasions. I cannot recall to my mind any occasion when the members of both the Houses of Legislature were neglected

or ignored while considering an important item of expenditure or important policy of the Government. I am reminded just now of an occasion when you, Sir, invited several members of both the Houses of Legislature to a conference to consider whether the Main Southern Road could be improved in a particular manner or not. I should think that the learned member Mr. Kesavan Nair was also present at that conference. It was convened twice and I should praise Government that Government was only too willing to go by the wishes of the representatives of the people. When we said that pneumatic tyres ought not to be substituted for the iron wheel traffic just now going on in South Travancore, you, Sir, readily accepted that suggestion and said "No; we will devise other means of improving the road and maintaining the road." My learned friend is so short of memory that he could not remember this. I therefore say that it is not fair or graceful to omit to refer to instances where members of the lagislative bodies were consulted by Government in planning Governmental measures. Therefore, Sir, I would say that the arguments of Mr. Kesavan Nair which were not completed and which were dropped half-way do not deserve any consideration and the grant, as it is, ought to be made. I therefore support the demand.

Mr. K. K. Kuruvilla (*Mavelikara and Tiruvalla* cum *Pattanamtitta*): Sir, I wanted to take part in the discussion on Saturday, but I am glad that I had no occasion to do so because it was throughly impossible for me to gather my thoughts together in the light of the discussions that took place on Saturday. The one prominent thought that came to my mind was that in this Council we have all taken the oath of allegience to His Highness the Maharaja and if we are disloyal, what right have we to sit in this Council Hall as members of this Council? Mr. Simon was very kind to say that though we are really disloyal we are ignorant and that we do not know that we are disloyal.

Mr. P. I. Simon: On a point of personal explanation, Sir. What I said was that the activities are disloyal although some members may be ignorant.

Mr. K. K. Kuruvilla: I might as well say that Mr. Simon has not really cared to understand the real objective of the Congress movement. I claim to know only those things which I have seen or heard from reliable persons. Mr. Simon as well as I have seen and heard all the things that happened in our streets and at the public meetings. I do not want to repeat them since everybody in this House knows them. Mr. Simon and I probably have

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different reactions to the things that have happened in this country.

The Secretary to Government, my friend Mr. Govinda Pillai, also stated that the State Congress is disloyal and gave three reasons, I think, for that declaration. These charges were denied and affirmed again and again.

President : To the extent to which the honourable member confines himself to the topic of legislative bodies and the activities of or the charges against the members of the Legislature he is perfectly within his rights. But the activities of the State Congress as such, in so far as they do not impinge upon the legislative bodies or upon their working, are matters which are beyond the scope of discussion on this demand.

Mr. K. K. Kuruvilla : Sir, I was saying that in the light of the discussion that we are really disloyal we have no right to be members of this House and I am trying to answer that. If you will kindly give me an opportunity to go through the whole ground, I hope that in the end you will have no reason......

President: I am afraid that in deciding whether a particular statement or group of statements is within the law of relevancy or not I cannot wait until the end of the whole speech and then conduct a post mortem examination. All that can be done is to see the trend of the honourable member's speech and then indicate whether it is relevant or irrelevant. I may say at once that the honourable member is sufficiently experienced to know that he is perfectly entitled to speak on the activities of the legislative bodies, on the activities of Government in relation to those legislative bodies and on the activities of the legislative bodies in regard to the problems of the country. But the career or the activities of a body outside the legislative bodies are not relevant to this demand.

Mr. K. K. Kuruvilla : I am not a lawyer, Sir, and I do not know the subtle differences. But whenever you ask me to stop I shall.

President : I do not wish to be constantly interrupting the honourable member by calling him to order. I shall leave it to his discretion. I hope he will realise it.

Mr. K. K. Kuruvilla : Whatever the reasons he has given, I only want to say that I hope they are not based on C. I. D. reports which cannot be relied upon unless they are properly sifted and the other side is heard.

Mr. Kunjukrishna Pillai stated that some of us feel that within three months we could be on the saddle and we could supply the people of Travancore and the members of the Legislative Council

with milk and honey. I do not know from where he got this information but I want to assure him that we have no such ambition. On the other hand we have stated time and again that with the Legislature as at present constituted we do not want responsible Government.

In the course of the debate in the House the other day, the Dewan-President made a statement, the implications of which I do not quite understand. You said, Sir, if I remember right, that a criticism of the actions and policies of Government is a criticism of His Highness the Maharaja.

President: Order, order. I do not think the honourable member is putting what I said fairly. What I said and what I reiterate is that under the criminal law of the land, namely, the Penal Code, comments expressing, disapprobation which are likely to excite hatred or contempt or disaffection towards His Highness the Maharaja are on the same footing as the same comments in relation to His Highness' Government. In other words, I said that comments which are likely to produce hatred or contempt or disaffection towards His Highness' Government are to be dealt with as comments made in relation to His Highness. That is the penal law of the land and the punishment and the procedure in regard to the punishment are exactly the same.

Mr. K. K. Kuruvilla: Thank you, Sir, for the explanation. We have taken the position of an oppostion party on the understanding that constitutional practice in Travancore gives the party the privilege of criticising the acts and policies of Government whenever they felt that in the interest of the public and the well-being of the State it was necessary.

President: Order, order. There again, I think, I made it clear that the administrative acts and policies and actions of His Highness' Government are open to the fullest criticism, but if corruption is attributed to the Government or to the Head of the Government in such a manner that it must producc hatred, contempt or disaffection to the Government as such, then it will come within the penal law of the land.

Mr. N. V. Chacko: Suppose there is corruption, how are we to ventilate that?

President: I am not here to give legal advice. I can only say that the Penol Code is there for every one to read and if the head of the Government charged by His Highness the Maharaja with the duty of governing the State is guilty of corruption, the person who says so may be liable to imprisonment if the other conditions specified in the Penal Code are satisfied.

Mr. K. K. Kuruvilla : A fair measure of criticism has been allowed in and outside the House.

Mr. Joseph Kunju *(Nominated)*: പ്രസിഡന്റ് എന്തെല്ലാം ആജ്ഞാപിച്ചാലും ഏതെല്ലാം വാദമുഖങ്ങൾ തടഞ്ഞാലുംശരി താൻ എഴുതിക്കൊണ്ടുവന്നതു് വായിച്ചേ അടങ്ങുകയുള്ളൂ എന്നുള്ള നിർബന്ധത്തെ അനുവദിക്കത്തക്കതാണോ?

President : The honourable member may be absolutely sure that the limits of debate will be preserved by the Chair and I have already indicated the region and the limits of debate. So long as that is observed, I shall not interfere. But the moment I find that limit is transgressed the Chair will interfere.

Mr. K. K. Kuruvilla : A fair measure of criticism has been allowed in and outside this House and my difficulty is to know when exactly a critic goes beyond the legitimate line. To my mind, no such absolute line can be drawn and mainly through this indefniteness, I concede an unfortunate situation has been created.

President : That is the indefiniteness of the law.

Mr. K. K. Kuruvilla : I propose to make a definite line. That attempt has been......

President : Order, order. This particular definition has been in existence in England from the time of Queen Elizabeth and it is the same definition which is in vogue in the American law, the English law and the Indian law.

Mr. K. K. Kuruvilla : Definiteness arises only in course of time through experience and understanding. To my mind these can come only if we have opportunites for mutual contacts and discussions in good faith. I have to suggest......

Mr. Kottur Kunjukrishna Pillai : Can the member read out from a manuscript ?

President : The honourable member is presumably only refreshing his memory.

Mr. K. K. Kuruvilla : In order to create an atmosphere in which these things can be done, I suggest that the ban on all legitimate propoganda be lifted and that all government servants be prohibited from taking sides in the controversies of political parties.

Some among the honourable members of this House may object to this suggestion on the ground that this may lower the prestige of the Government. I contend that a Government which is strong enough to enforce law and order in the land and to administer even handed justice tempered with mercy need not be afraid of its prestige.

Believing as I do in the good will of individuals and Government, I submit, Sir, that my suggestion will receive due consideration at your hands.

Mr. Kottur Kunjukrishna Pillai: Sir, I wish to speak a few words on this demand which is more intimately connected with this House than any other demand. In doing so, I do not wish to rake up or answer some of the criticisms and pathetic complaints made by my honourable friends on the other side regarding invitations to parties. It has been pointed out that this House has not been called as often as it should be. I find that ordinarily three sessions of the House are called in a year and we find, including the special session that was called for the Credit Bank Bill, this year also, there were three sessions in addition to the large number of days which have been allotted to us during this budget session. Sir, this complaint is also analogous to the difficulty aroused in regard to the question of invitation to dinners.

President: Order, order.

Mr. Kottur Kunjukrishna Pillai: I am not referring to it, Sir.

President: You are.

Mr. Kottur Kunjukrishna Pillai: Sir, if it is a question of privilege, that question of privilege has to be considered in this light, namely, whether the House has not been given sufficient opportunities to meet to discuss questions of public importance. Viewed from that aspect impartially, can we say that the House has not been called as often as it should be.

Mr. Kochikal P. Balakrishnan Tampi: Yes.

Mr. Kottur Kunjukrishna Pillai: No, Sir. I beg to differ and I challenge my honourable friend to prove that. My honourable friend who has now put this question to me, has been putting up with lesser number of days and shorter sessions being called during the time of Sir Mahommed Habibullah.

President: Order, order.

Mr. Kottur Kunjukrishna Pillai: I am not comparing that. I only say that the question was never raised in this House in those days by my friend.

Mr. N. V. Chacko: What is the member's view in regard to...

Mr. Kottur Kunjukrishna Pillai: I do not yield, Sir. The question has to be viewed in this light, namely, has the privilege of this House been infringed and, if so, then it is a very serious

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matter. If it has not been infringed, then, it is an allegation that is made without foundation. I find that all these allegations, all these statements, all the sophistry of even my honourable friend Mr. Kuruvila is not really a complaint against the legislative bodies as such, a complaint directly arising out of the legislative bodies. These are all methods of political propaganda being made out by vague references to certain imaginary grievances. That setting is unfair to the topic that we have under discussion; that is unfair to every body concerned. It is very easy to pose as critics of every Governmental act and to pose oneself as a belligerent always attacking Government and claim the popularity from the unthinking public. That is not what we are expected to do in this House. We are expected to look into the question fairly, impartially and without prejudice. In spite of the change of political colour, in spite of the change of political apparel, of my friend Mr. Kuruvila, I still hope that he will not leave aside the fundamental...

Mr. N. V. Chacko: Will my honourable friend try to change his colour ?

Mr. Kottur Kunjukrishna Pillai: I do not propose to answer that question. My intrepid friend Mr. Chacko is trying to drag me into irrelevance. What I wish to suggest with regard to this point is this. If it is a real question, it can be raised in this House, I am sure, this House will be at one with my honourable friend then. No one feels that the real powers and privileges of this House are infringed. Nobody has given expression to that feeling. There is no such attempt made either. No arguments have been put forth in that direction. Only very very flimsy grounds are made out so that we cannot sponsor the responsibility of accepting the censure motion or a condemnation of Government on that ground. We find, on the other hand, there is a good deal of latitude in the matter of discussions, and in the matter of freedom of expression of opinion, within this House. No impartial critic can deny that fact. We can given as much latitude in the matter of rules as it is possible. I have been noticing, and I have been a member of the last Assembly as well, that any mention of a word of criticism against the head of the administration, the Dewan, has been ruled out definitely by the then President, as out of order; not a word was ever allowed to be uttered. In the collection of rulings paragraphs 354 and 355 clearly and definitely lays it down.

Mr. Kochikkal P. Balakrishnan Tampi: Is not the member questioning the rulings of the Chair ?

Mr. Kottur Kunjukrishna Pillai: I am applauding the rulings. I quite accept them.

Mr. R. V. Thomas (*Thodupuzha* cum *Minachil*): May I know whether the honourable member is not questioning the rulings of the present President?

President: I take it that the honourable member is saying that a certain amount of liberty is given for the honourable members for criticising Government measures. I do not think I have given any ruling on that subject.

Mr. Puthupalli S. Krishna Pillai (*Legal Remembrancer to Government*): No such ruling has been given by you, Sir.

Mr. Nedumangad R. Kesavan Nair: Is it open to the member to eulogise the ruling given?

President: What is the word please?

Mr. Nedumangad R. Kesavan Nair: It is open to the member to praise the ruling?

President: That question does not deserve an answer.

Mr. Kottur Kunjukrishna Pillai: I was trying to point out that, by precedents, we were developing in this House greater powers with regard to discussion. That was the point I was trying to emphasise. Without looking at the question in that manner, it is idle to make political propaganda on very very flimsy allegations.

I wish to point out definitely one question that has been raised in this House on another occasion by my honourable friend Mr. Govindan. He criticised me for saying that. He even challenged my statements regarding the desirability of the change of single non-transferable voting system. He has challenged me that it is not the opinion of the minority communities. I voiced forth that opinion not on the authority of the logically some but on the opinion of people who are entitled to speak on behalf of the community, as much as Mr. Govindan and Mr. Ismail, if not better. And that rule operates to the detriment of the community and the very defect which Mr. Govindan now wants to ward off is there on account of the existence of that system. My friend Mr. P. S. Mahomed has given an illustration to it very definitely and even published it. According to that system, though 95 per cent of the Mahommedans voted for him, I think, he was not returned. But a man who got not even 5 per cent of the vote of the Mahommedan community, has been returned.

President: The honourable member has only 2 minutes more.

Mr. Kottur Kunjukrishna Pillai: There were many open votes so that the number could be known. It is this system of voting that has been condemned on all hands. My honourable friend Mr. Govindan and others ......

Mr. M. Govindan (*Nominated*): On a point of order, Sir. My honourable friend is going on criticising the speeches made by others and casting reflection on them. Is that relevant? May I know whether it is open to him to criticise the constitution?

President: The honourable member is referring to the speech made by the member who preceded him and criticising it. The honourable member says that he ought not to have made the speech and therefore criticism is not relevant. Is that the member's point?

Mr. M. Govindan: My point is, I had a difference of opinion with my honourable friend with regard to the system of voting and the honourable member is criticising that.

President: The Chair is not concerned with differences of opinion between the several members. The honourable member who was on his legs a while ago, was criticising a speech made by the honourable member who had just sat down. The honourable member now raises the question that the speech which he made was irrelevant and therefore criticism of the speech was equally irrelevant. Is that the honourable member's point?

Mr. M. Govindan: No, Sir.

Mr. T. Mahomed Ismail: Sir, I rise to a point of order whether the discussion on the constitution of the Council is permissible.

President: I ruled that out of order.

Mr. Kottur Kunjukrishna Pillai: I was not referring to the constitution. When people talk so glibly about responsible government, I am reminded of the story in the Vicar of Wakefield of the preparation of the family portrait and finding it impossible for the drawing room to contain it. The advocacy of responsible government by these people will result in something like that. The very question will be "where shall we put it." Let it not be said that we are not able to have responsible Government, when we get it.

President: Your time is up.

Mr. K. R. Elenkath (*Kalkulam and Vilavancode cum Neyyattinkara*): I rise to oppose the motion with a view to offer a few suggestions that may go to alleviate the discontent prevailing among the people that their representatives in the Legislature are not properly treated. I do not at all see eye to eye with those honorable members who say that Government have in any way deliberately violated the privileges or rights vouchsafed to us. We cannot say that Government have not been calling the sessions within the period prescribed by the statute. They had never failed to

call together the Legislature within an interval which is more than six months. We are to see whether they have deliberately failed to call together the Legislature at least once in six months and whether there has not been meeting of the Legislature whenever there was necessity. Viewed from that point of view, I should think that it would have been much better and more satisfactory if the Government had undertaken some trouble to convene more meetings of the House. As an instance, I can quote that, due to the delay in summoning the Legislature, Government had to authorise under Section 32 of the Regulation an amount of Rs. 6,32,485. I should think that there would have been no necessity for this if the Government had called together the Legislature earlier and got their sanction. It is only when the Government find that they cannot wait to get the sanction of the Legislature that they should authorise such expenditure and that for very urgent and unavoidable items only. If there was not sufficient legislative and other business to call together the Legislature, the Government should have called together at least the Finance Committee before sanctioning such huge grants by certification. I very much appreciate the policy of the Government in having deviated from the policy of not taking the House into their confidence when serious changes in certain schemes are adopted. I refer to the calling together of the members of the Legislature of particular areas for considering the question of the iron-wheeled carts referred to by Mr. Simon. It is not difficult for the Government to call together members of certain particular areas in considering the measures affecting their constituency. It is a policy which has to be commended upon. I congratulate the Government for dropping the scheme of prohibiting iron-wheeled traffic on the M. S. Road, as a result of the opinion expressed by the non-official members with regard to that scheme. At least such a procedure should have been done and I believe it will be done in future.

President: Honourable members must realise that the spokesman on behalf of Government must be given at least five minutes.

Mr. K. R. Elenkath: Sir, a word with regard to the answering of interpellations and the preparation of bills for the consideration of the House. I heard the explanation being given for not calling the Legislature due to the delay in getting ready bills. Some years back, the Law Member and the Head Sirkar Vakil were both combined in one and the same person and they had very few assistants. If the Legal Remembrancer cannot look into these affairs and see that the bills are ready in time, I do not

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know why we should have a separate Legal Remembrancer with an assistant besides the Advocate-General and his assistants. So, that plea is not acceptable to this House. With these words I oppose the Demand.

President: The honourable member will resume his seat.

Mr. C. O. Madhavan: I have been listening to the observations of members on the other side. Many of the criticisms against Government have been met by some of the non-official members themselves who spoke thereafter. But I will briefly refer to some of the points which, in my opinion, deserve observation from me.

To begin with, Mr. Kesavan Nair said that the Government have not summoned the meetings of the Council as often as it should have been. I admit that it was not possible for the Government to summon a meeting of this Council by April or May, as usual. The reason was this. As the House knows, there was a change in the office of the Law Member; Mr. Kayalam Parameswaran Pillai who was holding that office had to retire by efflux of time and that place was taken by Mr. Puthupalli S. Krishna Pillai as Legal Remembrancer. This change in office necessarily involved some delay in getting through the business to be placed before the Council. That is partly the reason why a meeting of the Council could not be held at the usual time this year. On account of this delay certain bills which had been referred to the Select Committees could not be got through. But I may inform the House that as soon as the new Legal Remembrancer got into office he took necessary action for convening Select Committee meetings and getting the bills through. I need not say that it is not of much use to convene a meeting of the Council without sufficient business to be transacted. A meeting of the Council means some time and labour on the part of the members and some expenditure for the Government by way of T. A. and sitting fees to the members. Unless there is sufficient work to compensate for this trouble, it is a waste of time on the part of the members and a waste of money on the part of the Government. For these reasons and for no deliberate intention on the part of the Government, a meeting of this Council could not be held at the usual time this year. I am sure this explanation will certainly satisfy the honourable members on the other side.

Coming to the question of interpellations, Mr. Kesavan Nair said that the Government are not answering all interpellations and that some interpellations are being deliberately withheld. On this point, I may inform the House that it is the desire of the Government to furnish answers to all questions admitted by the President.

But the questions cannot be answered as speedily as the Government would wish. Most of the questions require answers to be prepared by the several departmental heads. When questions are sent to the departmental heads they may have to make references to their subordinate offices. When the answers are received, we do not automatically pass them as they are. As the members are aware a large number of supplementary questions are asked on the floor of the House. It is the intention of the Government to arm themselves with the necessary materials to be in a position to give satisfactory answers to all the supplementary questions. Some times it may happen that references back to the heads of departments will be necessary to get further information for answering supplementary questions. All these mean delay.

Mr. K. R. Elenkath: If this delay is not avoidable, why not the rule that 12 clear days' notice be given, be changed?

Mr. C. O. Madhavan: That question may be considered.

Mr. Nedumangad R. Kesavan Nair: May I know why my questions which are even one year old are not answered?

Mr. C. O. Madhavan: If the honourable member will give specific instances of such questions, I can supply the information.

Mr. Nedumangad R. Kesavan Nair: Expenditure on newspaper is the question that I sent in Karkatakam last which remains still unanswered.

Mr. C. O. Madhavan: If the question was asked in Karkatakam, it need not necessarily be answered now. It can be answered only if the question is renewed. If the honourable member would refer to any specific instance it can be looked into to see why answers were not given to such questions. That is all that I have to say about interpellations.

The honourable member then said that the House is not taken into confidence in deciding important questions affecting the finances of the State. I may plead ignorance as to what the member means. If the Government, under the rules, are bound to consult the House on any questions of finance, Government are certainly doing so.

Mr. Nedumangad R. Kesavan Nair: May I know whether the House was consulted before the University and the Transport Schemes were launched upon by the Government?

Mr. C. O. Madhavan: The University and Transport schemes were considered in this Council last year.

Mr. Ndumangad R. Kesavan Nair: Was it not done after Government fixed up the scheme?

Mr. C. O. Madhavan : Proposals are formulated by Government and then placed before the Council.

President : The honourable member has two minutes more.

Mr. C. O. Madhavan : Mr. R. Kesavan Nair then referred to Government taking action under Section 32 of the Regulation. Section 32 gives the Government authority to incur expenditure in certain emergencies. If action is not to be taken under that Section, I do not see any reason why there should be such a provision in the Regulation. It is to meet certain emergencies that that provision is made in the Regulation. I am definitely of the opinion that Government cannot be found fault with for taking action under Section 32 when it expressly authorises the Government to do so.

Reference was made that some members were not invited to certain functions. I do not refer to any function other than functions to which members should be invited in their capacity as members of the Council. Mr. Kesavan Nair is aware of the fact that the other day when Government had to discuss the question regarding the maintenance of roads in South Travancore, all the members belonging to that part of the country were invited. It may be that in some cases Government do not want to invite the members of the Legislature as such. It may be that only same members are invited for same functions. They are invited in their individual capacity, whom the Government in their discretion think fit to invite. This is all that can be done under such circumstances, whoever may be the inviting party. It is really a matter for surprise that this has been made a point for adverse comment.

Mr. Kesavan Nair then said that some members are prevented from exercising their discretion. I ask whether the Government have done anything unlawful. Certain members are appointed by Government as part time officers and it is not possible for Government to deprive them of their rights and privileges as members of this Council or the Assembly. I do not see how Government can be found fault with on that account.

Mr. Kesavan Nair then said that incorrect answers are given by Government to the questions put before this House. And as an instance he quoted that to a question put to the Surgeon-General whether there are not bugs, in the cots in the General Hospital he answered that there were no bugs and the member actually found bugs in some cots. Sir, I am at a loss to understand how one can be sure of the fact that there are bugs or there are no bugs in any place as the presence or absence of bugs cannot be a permanent factor for all time to come.

Mr. N. V. Chacko : Is it not possible to consider whether there are bugs or whether there are no bugs?

Mr. C. O. Madhavan: Sir, it is not humanly possible to be free from accusations of inaccuracy in answering questions of this nature.

Mr. Nedumangad R. Kesavan Nair: Sir, I am not interrupting the Chief Secretary. I asked a question about the proficiency of the Director of Information in piano tuning. The answer given was not at all satisfactory.

Mr. C. O. Madhavan: Other instances could not be shown to prove the inaccuracy of the answers given by Government. I may inform the House that the Government never give inaccurate answers intentionally or knowingly.

The Demand was then put to vote and carried and the grant was made.

DEMAND No. XIV—PUBLIC SERVICE COMMISSIONER.

Dr. G. D. Nokes: Sir, I beg to move for a grant not exceeding Rs. 24,781 under Demand XIV—Public Service Commissioner.

Mr. G. Narayana Aiyar: Sir, I oppose the Demand. This department was formed towards the close of 1111 and it had been in existence for 2 years. This establishment was sanctioned originally for two years. That period has expired. The Government should have considered the results achieved in the course of the 2 years and considered whether there is any need to continue the same and the same staff. It seems to me that it is not necessary to continue the same at this expensive scale. The present Commissioner, a very competent officer was got down and appointed for a special purpose namely for the Judicial Department and he was discharging his duties very satisfactorily there. He was then appointed as Public Service Commissioner on special considerations. He has drafted the necessary rules which were approved and passed by the Government. The Service Recruitment Manual was prepared. Necessary forms were printed. Examinations for public service were conducted and has practically done everything necessary for the recruitment for public service in future. A number of candidates have been declared passed from which future recruitments could be made and the recruitment business may be entrusted to departmental heads with directions to act up to rules and policy laid down by Government. There is no more necessity to have the services of such a high-paid and full-time officer in this department. His services are badly required for the Judicial Deparment for which he was got down and he may be sent back to

[Mr. G. Narayana Aiyar.]

his permanent place as a judge of our High Court. Having completed the preliminary and necessary work, is there any necessity to continue such a department for the purpose of recruitment since this can be managed if necessary by the appointment of a Staff Selection Board consisting of a few competent officials and non-officials to be selected from all communities if such a course is necessary? It is enough if such a board is constituted and the present officer may, if necessary, be asked to preside over the meetings of the Staff Selection Board which may be directed to meet quarterly. It is time for the Government to take this into consideration, reduce the expenditure and if necessary appoint a Staff Selection Board which can be asked to meet whenever necessity arises. If the Government think that the services of Dr. Nokes are necessary for this purpose, he can be asked to preside over the Board meetings. He has done his work satisfactorily and laid down rules for the future.

Mr. K. R. Elenkath: May I know whether the Staff Selection Board referred to by the honourable member should consist of representatives of all communities?

Mr. G. Narayana Aiyar: I would say that if need be, a communal representative board may be constituted, consisting of officers and non-official members. The Staff Selection Board would be useful in any way. It may be necessary to make the selections from all communities. In this connection I have also to bring to the notice of Government that they have cut down the powers of certain officers to make acting appointments even for a short period of one month by their G. O., dated the 10th Dhanu 1113. For instance, the High Court Judge, the District Munsiff, the Second Judge, the Tahsildar, for the satisfactory disposal of their executive work it is highly necessary that these officers are given power at least to appoint clerks, peons, etc., temporarily for a period of one month or less. They were exercising those powers for the last many years and there were very few cases of complaint. Now that power is taken by the G. O. referred to above. In practice it is found very difficult to get on satisfactorily with the administrative work in the case of certain departments by the removal of this power. It seems doubtful whether the various departmental heads were consulted before the issue of the said order as to its probable effects in the satisfactory working of the departments. Under the present rule the head of the department has to inform the Public Service Commissioner about a vacancy which often occurs without previous notice. The Public Service Commissioner or the other responsible officer naturally takes some time

to select a suitable candidate to be appointed in this place. But when the candidate so chosen by the Public Service Commissioner is informed and he joins duty, the period of the vacancy terminates or is about to terminate. This, I submit is a very difficult state of affairs and this requires re-consideration by the Government at an early date. Even the High Court Judge is not at present able to appoint a peon for one month at least. Imagine the difficulty or the inconvenience which an officer in the position of an High Court Judge will feel for want of such power say for instance in appointing a peon. This was never considered by the Government before the issue of the order in question. This order interferes seriously with the proper functions of the departments concerned. Therefore, I submit that this power should be restored to the officers at an early date.

I have also heard complaints from typists and clerks in the Judicial Department that their claims were overlooked in the matter of promotion. Sir, it would be advisable to inform them on what grounds their claims are not considered so that they may be satisfied. With these few remarks I oppose the Demand.

Mr. T. Mahomed Ismail: Sir, I have nothing to say against the fair-minded, honest and impartial officer presiding over the department. But I have lot of complaints about the Public Service Recruitment Rules which have been changed, added and amended every day, so much so, that no body knows where to begin and where to end. The appointment of the Public Service Commissioner was the result of a continuous agitation for imparting equal opportunities to all communities in public services. The present recruitment is based upon the rules framed in this behalf. By this time the people have become more or less familiar with the operation of the rules. The results are highly disappointing to the backward communities in spite of certain concessions embodied in the original Government Order regarding recruitment to the Public Service. Of the three divisions I would leave aside the Higher Division, recruitment to which has not yet begun.

Taking the Intermediate Division, I shall point out some fundamental defects in the rules. No doubt, 40 per cent. of the appointments are reserved for the members of the backward communities. But the actual recruitment shows that this ratio is not maintained. The Administration Report for 1112 will justify my remarks. This is due to the practice of selecting a large number of candidates for a certain period while a small number of vacancies only occur and the 40 per cent. list will be taken up only after completing the 60 per cent. list. I would illustrate this by an example.

[Mr. T. Mahomed Ismail.]

Suppose 200 candidates are advised for recruitment within one year, and suppose there arises only 50 vacancies. Then Sir, not a single candidate from the 40 per cent. list will be absorbed. Therefore, the operation of the new recruitment rules is a penalty for the backward communities since their chances are indefinitely postponed.

Again, the basis of selection is by a process called selective test. It appears that 70 per cent. of the marks is reserved for qualification in the examination and 30 per cent. for the acting service and community. In practical experience efficiency has nothing to do with this so called test. Suppose a Brahmin and a Pulaya, both of them graduates, stand as candidates for a particular post. Both of them have got the same marks, or the Pulaya candidate has 5 marks more than the Brahmin. Then comes the question of acting service. Unfortunately the Pulaya might not have any acting service to his credit, while the Brahmin, having some god-father, might have acting service. That this is the fact will be clear when we remember that a considerable number of acting hands belong to forward communities. If this is the state of affairs the Brahmin will surely get the post, for, out of the 30 marks reserved for the acting service, he may get 15 or 20 marks. It may be said that the Pulaya will get a certain poprortion for community. But from what we have actually seen from the appointments, the marks alloted for 'communities' are invariably less than those alloted for acting services. I am only showirg one instance of a candidate who has got acting service and who is appointed inspite of the fact that he gets only a lower number of marks in examination This shows that the contension that the selective test decides efficiency is absolutely meaningless.

Another serious handicap is the excessive qualifications prescribed for the appointments under the rules. Before these rules came into operation, ordinary graduates were entertained as teachers. Now the rule imposes training qualifications also. So the candidate is under the mercy of the Education Department to get himself trained. If only he is in the department could there be the chance of his being selected for the training course. Thus we cannot enter the department without training and we cannot get ourselves trained without entering into services. This is the anomalous position.. Again take for instance, the technical qualifications prescribed for tracers and draftsmen. It is stated that they should get themselves trained. Who is to give them the training? Those who have no god-fathers to back up will not get the training and thus the backward communities will find it difficult to qualify themselves for these jobs. There is another fine example. For the

Hospital Warden's place two qualifications are necessary, literacy and hospital experience. So far as literacy is concerned, it is alright. What about hospital experience? It is only after getting some job in a hospital that you can gain experience. And unless we get the experience we cannot apply to the Public Service Commissioner for a job with the result that we cannot get a job in the hospital.

Mr. M. K. Ananthasiva Aiyar : Why can't they go to some private hospitals and get training?

Mr. T. Mahomed Ismail; Sir, when the Government themselves cannot provide some jobs for us, it is too much to expect private hospitals to help us.

In this connection let me bring to the notice of the Government how their of quoted slogan that "other things being equal preference will be given to the backward communities," works adversely inspite of the Public Service Commissioner. Of course, he is helpless. The so-called 'other things', such as training, acting service etc, of which I have stated, will stand in our way. Think over these 'other things' and you will know how injustice is done. So I ask the Government, why not the Public Service Commissioner have a hand in maintaining the ratio in the matter of selecting candidates for such training also?

Sir, one word with regard to the question of promotion and confirmation. It will be clearly seen that these are questions incidental to recruitment. If the work of recruitment to the Public Service can be entrusted to an honest man, as in the case of the present Public Service Commissioner, why not entrust the question of promotion and confirmation also to him?

Instead of abolishing this post, as suggested by Mr. Narayana Aiyar I would request the Government to give him more power and take away the powers entrusted with departmental heads in the matter of recruitment to public service. Then it will help him to carry on the work more effectively and the backward communities will thereby get their grievances redressed. Sir, my view is that a thorough overhauling of the rules is absolutely necessary so that justice could be done to all alike and the backward communities may get fair representation in public service.

Mr. K. K. Kuruvilla: Sir, considering that some communities in the State are inadequately represented in the public service and with a view to redress the grievances of such communities, Government have laid down certain rules to remedy the situation. We desire to emphasise the need for adhering to the strict letter of

[Mr. K. K. Kuruvilla.]

that communication. Therefore, we request that that order be strictly adhered to.

I also desire to bring to the notice of the Government the promise of the Land Revenue Commissioner made about an year ago that a definite scheme will be framed and put through to afford speedier representation of the un-represented communities in the category of the Proverthicars. But nothing is known to have been done in that line so far. I desire to make clear the urgent need for putting through this scheme in accordance with the promise. Since we know that that Government order shall stand temporarily, my party does not wish to discuss it further.

Mr. M. Govindan : May I know whether he is in favour of the extention by one year, recently amounced by Government, of the period of the Public Service Commissioner ?

Mr. V. S. Arumukham Pillai (*Tovala* cum *Agastiswaram*) : Sir, I may submit at the very outset that the Government are now doing their level best to see that the various communities are adequately represented in the Public Service. But at the same time, I have to submit that, so far as the Vellala community is concerned, it is inadequately represented. Sir, I would not have wished to speak about this had it not been for a statement made elsewhere by a responsible member of the Legislature, and I am much aggrieved to hear that the Vellala community is over represented in the public service. Sir, it is a false statement deliberately and falsely made.

Mr. M. Govindan : What about the figures in the appendix ?

Mr. V. S. Arumukham Pillai : Sir, I beg to submit that it is a statement made falsely and deliberately. I may also submit.........

Mr. M. Govindan : Sir, ...

Mr. V. S. Arumukham Pillai : I don't yield Sir.

I may also submit with certain amount of pride that, from time immemorial, this community has been most loyal and law-abiding up to the present day. Of all the communities in the State this is the one important community which has been loyal from time immemorial and quite law-abiding. This community is suffering from serious disabilities. In the first place, it is this community which bears the heaviest land tax. Of all the communities this is the one which contributes the largest share to the coffers of the State. Under such circumstances, I may draw the particular attention of the Government to the urgent necessity for satisfying the demand of this community. Sir, I said at the outset that the demands of other communities where satisfied but not of

this community. This is due to the fact that in the matter of recruitment to public service this community is rather the least vociferous; they do not make any noise and that is the only reason why this community is entirely ignored by the Government.

Sir, with regard to the suggestion made by Mr. G. Narayana Aiyar for the abolition of the post of the Commissioner and the introduction of a Staff Selection Board, I submit that it is quite inadvisable in view of the conflicts among the various communities of the State. At this juncture, it is not advisable to have a Staff Selection Board in the place of the present Public Service Commissioner. I submit that it is advisable that he should be retained as long as possible.

With these few words, I resume my seat.

Mr. P. I. Simon: Sir, I support the demand. It has been so far our hard lot to hear about communal representation. The discussion of this question is not to be heard now except from a solitary member Mr. Narayana Aiyar. There is no advice to change the G. O., there is no advocacy for deleting the clause 'other things being equal,' etc.

Mr. T. Mahomed Ismail: (Not heard).

President: The Chair is not able to hear all these frequent dialogues.

Mr. P. I. Simon: Sir, I am saying that there is no advocacy to change the rules from that quarter, I mean the old Sumyuktha Party which has now got transformed into another party altogether. Although the majority of that Party still are those who side with the ideals of the old Samyuktha party, they have now found it convenient to agree to the wishes of one or two new recruits of that party. Even these two recruits, it is well known belong to the overrepresented communities in Travancore Public Service. It is very much according to their wishes that Mr. Kuruvilla the leader of the party said that the G. O. may be retained at least temporarily.

Mr. Nedumangad R. Kesavan Nair: Is it proper for the member to say that the conduct of one honourable member was actuated by the advices given by the other members?

President: Certainly.

Mr. N. V. Chacko: When the devil himself does not know other's thoughts, how is it that the member was able to glean the thoughts of others?

President: Presumably the honourable member does not associate himself with that personage; that is why he is not able to read the thoughts of others. (*Laughter*)

Mr. P. I. Simon: Some how or other, the plea for communal representation, which has been voiced so loudly, is now absent and people have learned to submit to the G. O. and the rules framed thereunder. Sir, the administration of the G. O. and the rules is done by one of our best officers. He is retained on account of the reason that to him the Nair, the Brahmin, the S. I. U. C. and all the backward varieties of human beings are alike. He is the best man for the purpose and he is efficiently administering his department and there could not be any demur to the opinion that I have propounded. Coming to the question of representation in the Public Service, Sir, the unrepresented communities ought to be appointed as far as possible with reference to efficiency. Efficiency ought to be the first criterion for appointment to the public service. I am sorry that I have to say that communalism is fast getting hold of our services. I do not say that is entirely due to the anxiety on the part of the Government to give full recognition to the claims of the under-represented communities ; it may be due to that ; it may be due to something else. But I would request the Government to see that our service is retained with the maximum efficiency possible It is gratifying to note that Government propose to bring into effect a Civil Service Examination ; and I hope that that will give us really efficient men to occupy our official benches.

With these words I support the demand.

Mr. K. R. Elenkath: Sir, I also support the demand

In regard to the need for a Staff Selection Board I do not see eye to eye with Mr. G. Narayana Aiyar. If he believes that the present Rules are satisfactory I cannot see why, instead of a single individual we should have three or four to work the Rules. All that need be done is for the Commissioner to adhere to the Rules strictly. As regards the present Public Service Commissioner I endorse every word and sentiment given expression to by Mr. Simon. What I would suggest is that we should try ths present arrangement for the full period for which it was originally intended to be tried, before we suggest any change in the Rules or in the office. I was really surprised to hear Mr. Ismail complaining that the Rules had been amended, and are being interferred with very often.

Mr. T. Mahomed Ismail: I have only to refer the honourable member to the Government Gazette.

Mr. K. R. Elenkath: I am surprised at my friend himself making suggestions for amending the Rules even before the trial period. I submit the Rules have to be tried for the whole period fixed in the G. O. To alleviate suspicion on the part of some that

the Rules are not being strictly adhered to, I think it would be advisable to publish in the Gazette, every time an appointment is made, all particulars about the appointment including even the name of the person appointed and his rank in the list.

Mr. T. Mahomed Ismail: Is it the honourable member's view that the Rules do not require any modification?

Mr. K. R. Elenkath: Not for the present, anyhow, for the simple reason that, if Mr. Ismail wants a particular change another honourable member of the Brahmin or Christian or the Ezhava community may oppose that suggestion and in turn suggest something else; my friend may urge for communal representation on the population basis, and another honourable member may emphasise efficiency, and a third may ask for territorial representation. It is too early now to think of modifying the Rules.

Sir, I would like to take this opportunity to draw the attention of the Public Service Commissioner to the treatment now accorded to the undergraduates It is generally understood that, for three graduates, one undergraduate will be recruited. I doubt very much whether this rule is being strictly adhered to especially in the departments of Agriculture, Industries, Co-operation, and also some other departments where practical training and experience are the things that really count. Sir, in these departments, the claims of experienced undergraduates are being ignored. I think it will be appropriate here to read a passage from the speech made by the Dewan in reply to the deputation of the members of the old Samyukta Party, on the 9th January 1938:—

> "......................Do you want a man to be appointed merely because he is a graduate?...........that the fact that a person is a graduate is no proof of his character; on the other hand it takes away the character of the man...............Moreover, many graduates are lacking in general knowledge and a *viva voce* test will be useful."

Sir, it is a fact that the claims for promotion of undergraduates of long experience are being ignored. It is true that the departmental heads are allowed to give promotions, recruitment being made by the Public Service Commissioner only to the last vacancy. But in many cases the departmental heads shirk their responsibility and get appointments made by the Public Service Commissioner even in cases where they could have promoted undergraduates already in service. This is really very hard.

It has been accepted that *viva voce* is better than any other test. I am surprised how initial appointments are being made without the Public Service Commissioner having even a look at the person he is appointing. There is no knowing whether, by

[Mr. K. R. Elenkath.]

strictly adhering to his list, he might not appoint a disabled person, one who is lame, physically unfit for service; and medical examination is not necessary in all cases. I would therefore suggest *viva voce* test being insisted upon for lower appointments also.

Mr. M. S. Anirudhan (*Karunagapalli, Kartikapalli and Ambalapuzha cum Shertala*): Sir, it has been pointed out by Mr. Simon that this year there is not much clamour for communal representation; evidently he refers to the attitude of the State Congress Party some of whom, while they were members of the old Samyukta party, were making much clamour last year, but are now keeping quiet. Sir, there has been clamour for communal representation from many members of the House this time also, and I do not think it will cease for another 20 or 25 years. Because, going through the figures given in the Administration Report of the Public Service Commissioner it is clear that none of these communities, which are under-represented and which were clamouring for communal representation, is getting its grievances adequately redressed. There is no doubt that the position is getting better. But my point is that these communities do not get adequate relief. Some time back a memorial was presented by the Samyukta party suggesting some modifications to the Public Service G. O.; and if I remember right, the head of the administration conceded some of our points and made certain promises. I do not know how far those promises have been carried out.

Coming to a specific instance, under the present G. O., the Revenue Accountants, Proverthicars and the vast majority of school masters, although by virtue of their pay they would come only in the lower division, have been taken over to the intermediate division where only 40 per cent. of the appointments go by communal rotation. The deputationists urged before the Dewan to change that arrangement and to bring down those appointments also to the lower division so that the under-represented communities will get a greater share of those appointments also. I do not know what has been done as a result of that representation which we made.

The need for an Advisory Board was also pressed since there was some complaint in some quarters that their claims were not being adequately recognised. Unfortunately, the present Public Service Commissioner does not know the real conditions in Travancore. That was why we suggested the constitution of an Advisory Board to advise the Commissioner.

Another suggestion that we made was the need for periodical publication, twice, thrice or four times a year.........

Mr. Kochikal P. Balakrishnan Tampi: Is the honourable member referring to the suggestions made by the defunct Samyukta party?

Mr. M. S. Anirudhan: No. I am speaking of the defects of the present G. O., and in so doing I am referring to the suggestions made by the memorial put in by the Samyukta party.

Mr. K. R. Elenkath: Is it the view of the honourable member that the Government should accede to the wishes of only those persons who agitate?

Mr. M. S. Anirudhan: Certainly not. We do not want to appropriate the legitimate claims of anybody else. We want inequalities to be set right. We want justice to be done to all. We have placed our grievances before the Government.

Mr. K. R. Elenkath: Are not the present rule intended to satisfy such grievances as far as possible?

Mr. M. S. Anirudhan: I do not concede that the present rules have gone to the extent necessary for adequate redress of our grievances. That is why I say that the Rules require amendment. There are many communities who are not satisfied with the present G. O.

Mr. V. S. Arumukham Pillai: May I know the names of those communities?

Mr. M. S. Anirudhan: I do not yield, Sir.

In regard to the higher division also, the present G. O. does not make it obligatory on the part of the Government to follow the principle of communal representation. In this connection, I may bring to the notice of this House that, very recently, when chance of the Ezhavas came up, the principle of communal rotation which was being followed in the recruitment of Munsiffs, was put a stop to.

Mr. V. S. Arumukham Pillai: Is the honourabla member aware that, very recently, an Ezhava Munsiff has been appointed?

Mr. M. S. Anirudhan: I do not yield, Sir.

My plea is that, in the higher division also, communal representation, I say on population basis, must be adhered to, if the Government really mean to do justice to the communities which have been kept out of service for such a long time.

The House rose for lunch at 1 P. M. and reassembled at 2 P. M.

NEW MEMBER.

Mr. P. Paramesvaran Pillai took the oath and signed the rolls.

DEMAND XIV—PUBLIC SERVICE COMMISSIONER—(*contd.*)

President : I am afraid I can give only five minutes more to the honourable member and five minutes to the other honourable members.

Mr. M S. Anirudhan : Sir, I was at the question of direct appointments made by Government. In spite of the G. O. on the Public Service Recruitment, the Government have reserved to themselves the right of appointment and it is here that the Ezhava community has been most hard hit. You will bear with me, Sir, if I say that in the appointments made by Government in recent times the Ezhava community has been totally ignored. In this connection I may point out some of the appointments made by Government. I shall confine myself to the recruitments made from the Bar. Four or five Magistrates have been recruited from the Bar. I ask you, Sir, is there any single Ezhava from the bar who was recruited as Magistrate. Do you mean to say, Sir, that there are not candidates available from the Ezhava community for recruitment as Magistrates? There were days when there was dearth of men in the community, but now fortunately there are enough men in the community available for recruitment as Magistrates. Again, as Conciliation Officers several people have been recruited from the Bar but unfortunately it has not fallen to the lot of any member of the bar belonging to the Ezhava community to be appointed as a Conciliation Officer.

Mr. K. R. Elenkath : I rise to a point of order. The demand before the House refers to appointments made by the Public Service Commissioner, but the honourable member is referring to appointments made directly by Government without reference to the Public Service Commissioner.

President : The honourable member will proceed.

Mr. M. S. Anirudhan : Again, in the last reorganisation of the Excise Department two members from the Bar have been recruited as prosecuting Inspectors, but unfortunately there also the representation of the Ezhava community is nil. There have been several appointments as Assistant Secretaries, Law Member, Judges and as other officers and in none of these instances has the claim of the Ezhava community been considered. Sir, I must not be misunderstood when I say that these circumstances have created a strong feeling in the minds of the Ezhavas that their claims are not recognised. There is the feeling in them that they are ignored in these matters. Sir, there is a feeling among them that they do not get justice in these matters. Thereby I do not mean to say, Sir, that I attribute any partiality or any motive to Government. I only refer

to facts and these facts will convince you, Sir, of the inequality of the Ezhava community in the matter of representation in the Public Service.

In this connection, Sir, I may bring to your kind notice that the Ezhava community is a community which deserves the patronage of Government. If there is any community in the State which to-day deserves patronage in appointment to public service it is the Ezhava community. But we do not plead for any patronage. We want only justice and nothing but justice from the Government.

Mr. M. K. Ananthasiva Aiyar (*Nominated*) : Sir, I support the demand. In doing so, I beg to bring to the notice of the House and of the Government the case of one section of the Brahmin community which is most ill-represented in Government service. For the purposes of recruitment to Government service I am surprised to see why there should be no distinction between man and woman. Men have been over-represented in public service till this moment. Why should not we look to the claims of women also ? So, I would say that for purposes of recruitment there should be a separate classification of women and among them the most unrepresented community will be found to be the Brahmin women. I would argue their case and suggest that the recruitment rules should be so modified that Brahmin women also may find a place in the public service.

Mr. M. S. Anirudhan : May I know from the honourable member whether there have been any applications from Brahmin women for appointment ?

Mr. M. K. Ananthasiva Aiyar: Yes. There are B. A., L. T.'s and Honours graduates among Brahmin women. There are only four Brahmin women graduates now available. It is with considerable difficulty that the community persuades its women to go to school. So, it will only be an incentive to this community to send their girls to colleges freely.

Then the next thing I would refer to is the question of direct recruitment to the higher grade of public service.

President : That is not in order.

Mr. M. K. Ananthasiva Aiyar : I sympathise fully with the unrepresented communities in so far as their entertainment in the public service is concerned. But in regard to promotions, I would submit that they ought to be strictly on efficiency basis. Now we see that in almost all cases promotions merely depend upon the service alone and not on efficiency. This tells very much upon the efficiency of the higher grade of officers. I am really ashamed to say that there are among the superior grade of officers in the State

[Mr. M. K. Ananthasiva Aiyar.]

persons who, if I may be allowed to say, may be stated to be inefficient. This case of inefficiency could be avoided only if promotions are made on the ground of efficiency and efficiency alone. With these words, I support the demand.

Mr. Kottur Kunjukrishna Pillai: Sir, I wish to offer a few remarks on this question. At the time when the Public Service Recruitment Rules were framed and the Public Service Commissioner was appointed I hoped and the Government had the hope that by that they will be giving a quietus to the agitation for communal representation and the clamour for appointments on the basis of numbers of communities. Sir, the whole question was sought to be revised or looked into after the lapse of three years and necessary modifications effected on the result of the working of these rules. Those three years will be lapsing very soon and I think that without considering the effect of the working of these rules, further extension should not be given. Sir, it was pointed out on various sides that the present working of the recruitment rules is not to the satisfaction of the various communities due to various reasons. The one principle on which the Public Service Recruitment Rules were promulgated and the Public Service Commissioner was appointed was that by that Government will be able to secure harmony among communities and thus they will give a quietus for this agitation for communal representation. Looked at from that standpoint what has been the result of the appointment of the Public Service Commissioner and the working of the Recruitment Rules. Sir, the clamour and the agitation, instead of subsiding, have only increased with the working of the Public Service Recruitment Rules. That is a fundamental fact that Government will have to take into account. Whatever else the operation of the Public Service Recruitment Rules might have achieved, I am emboldened to say that it has not achieved this, namely, it has not lessened the clamour for appointments and it has not increased the cordiality between communities. If that could not be achieved by these rules, what is the purpose of punishing a community merely because it had the misfortune to have been over-represented beyond their numbers when the question of numbers was not the criterion for recruitment?

Mr. M. Govindan: May I know from the honourable member whether a little healthy rivalry between communities may not make for more efficiency?

Mr. Kottur Kunjukrishna Pillai: Sir, I do not agree to the statement of the honourable member that the rivalry that subsists is healthy, first of all, and I do not suppose that this sort of rivalry and this sort of clamour will conduce to the proper functioning of the public service. I deny both those assumptions and

the question put forward by my friend I answer in the negative and say that it does not improve the feeling of cordiality between communities and that it is not conducive to efficiency. It has not conduced to effect satisfaction to the various communities and further attempts are made for in roads. I am one who believes, Sir, that whatever else this might bring up, this will not be the method by which there will be peace and concord established and efficiency of the departments effected. On that point I have no doubt. Sir, if that could not be achieved, then what is the meaning of sacrificing the time and energy of such an officer, as Dr. Nokes. It has been found that it has not created any feeling of goodwill. The appetite has only increased with the supply that Government were making with regard to the lower grade. For instance, in the case of the Nair community they are entitled on the basis of population to as much representation as the Ezhava community, but they are given only half of what they deserve. On what principle can such a thing be justified, I ask. Suppose for historical reasons the Nair community has been over-represented because in the Devaswom Department certain communities were prevented from entering into service, or for other historical reasons, they have been found to be over-represented and when you introduce a principle of representation on the basis of fecundity, you may find that a particular community on account of the then existing circumstances are over-represented owing to a new principle on the basis of which you now look. Now, they are allowed only-half of what others are given. I think that under no circumstance it can be justified. Are the people of this generation to be punished for the past generation being over-represented. Sir, I would call it expropriation. If you accept the principle of population for recruitment, all right. But it is only from the moment you accept that principle that you can give effect to it and not retrospectively. And that has been the representation even of people who have been agitating for communal representation like my friend Mr. Govindan and Mr. Kunjithommen and various other people who made the proposal in the Public Service Recruitment Committee that recruitment may be made from that date on the basis of population. Even that principle has not been accepted by Government, Government went a step further and wanted to give more satisfaction to the communities that clamoured. But even that has not given satisfaction to those communities. It has been effective only in this way. It has whetted their appetite and they are asking for more.

Therefore, the whole question has to be revised and looked into. On that point, I think, we are all agreed. Sir, even the leader

[Mr. Kottoor Kunjukrishna Pillai.]

of the State Congress is not satisfied with the present arrangement. I have heard the leader of the State Congress asking several times elsewhere whether the Nairs are not people who are living in this country and I ask the question again here and say that they should be given equal treatment with other communities. We are not crying for any privilege or for any favour but we are asking to be treated as other communities. We are asking you that the people of this generation should not be punished for the representation got by the people of an earlier generation. I think we have a right to demand that.

Mr. M. Govindan: Sir, I was listening to the speech of my honourable friend Mr. Kottur with admiration. For eloquence it yields no other speaker in this House. But I am sorry I am not able to agree with him regarding the substance of his advocacy. In the first place the fervid portion of his speech was a strong appology for *status quoante* unimpaired. He was very careful to say that for the sins of a former generation the present generation should not be punished. But I ask my friend whether he has scrutinished the figures to understand the real position in the case of Lower Division appointments which he was emphasizing in particular I am sure he has not taken pains to find what proportion of appointments is held by the Nair community in the lower division. The fact is that it is almost a monopoly of one community to possess those appointments. When that was found by the Government, they took care to see that in determining the proportion of future recruitment, with a view to equalise the numbers for two communities, the proportion of lower grade appointments given to Nairs may be reduced to a certain extent. For every five appointments in the Nair community there will be nine Ezhavas. As a matter of fact the Ezhava is not having one-hundredth of the appointments held by the Nairs. That is the real state of affairs in the matter of actual representation and therefore with a view to equalise the share, the present ratio was fixed. And what is the result. Even the present ratio, the figures given by Dr. Nokes in his report, shows that there is no sufficient reduction and the grievance remains where it was. Although I cannot say that the Ezhava does not get any representation at all, I have to say that the representation of Ezhavas so far as the lower division is concerned is quite inadequate. After all these are only crumbs, and that for very small appointments.

When we come to the intermediate division let us see the state of affairs. The disparity that was already existing in respect of that division is still being maintained. A perusal of the figures will show that out of three appointments to Nairs, one from the Ezhava

community is preferred. Then can it be said, as Mr. Anirudham pointed out, that there are no qualified hands among the Ezhavas. The fact is that there was long service men and they have to be recruited. There is a long list in connection with that. And that list contains Nairs, who are long service men. From this long list, recruitments are made and still that long list is not exhausted. My friend Mr. Kunjukrishna Pillai wants that the rules relating to Public Service should be scrapped. The glaring inequality existing in the matter of recruitments have been attempted to be solved by the present rule. But the attempt has not succeeded yet to any considerable extent. Yet the rules are sought to be scrapped. I cannot understand the position at all.

Now, efficieny has been trotted out as a sort of answer to the monopoly. I say that efficiency is not the monopoly of any particular class. I am sure it will be found if there is a fair representation of all communities in the Public Service, instead of the monopoly of one community or two, there should be a healthy rivalry as I pointed out in answer to a question. That rivalry will lead to more efficiency. After all, what is the test that we are asking to set up. It is all a question of literary test. That literary test is dependent on money. In the matter of holding offices, sympathy and well-balanced mind are essential factors for achieving success. No success in *viva voce* test will yield that result.

Then Dr. Nokes has asked for a sum of Rs. 24,000. In my opinion he deserves even much more. There are two or three places in the report which goes to show that the rules could not be worked out successfully because of the understaffing in his department. There has been over-working by his staff in fact and on account of the under-staffing, the rules have not been worked out. The question of stafting an office is a very important matter. If proper staff is given, I am sure, this complaint may not have to be repeated next year.

One word with regard to the Staff Selection Board suggested by Mr. Narayana Aiyar. His idea was that a person like Dr. Nokes need not be continued as a full-time officer if there is a Staff Selection board. My point is that in the circumstances of this country where there is so much of scramble for appointment there is necessity for a person like Dr. Nokes who is well-known for his impartiality. The existence of a person like him is inevitable in Travancore, if ever the Staff Selection Board comes into being, I would recommend that a small Advisory Board may be set up so that more confidence may be restored in the impartiality of the administration of the office of the Public Service Commissioner.

Dr. G. D Nokes: Sir, it is gratifying to find that there has been no serious opposition to the continuance of the Public Service Recruitment Rules, with the exception of Mr. Kottur Kunjukrishna Pillai. I do not wish to say anything which could increase hostility or ill-feeling between communities but I think it necessary to remind him that the opposition which has been shown to these Rules emanates from a community which in 1110 held 60 per cent. of the appointments in the Public Service, and that the so-called penalisation (an unfortunate word) of that community relates only to the reduction of their numbers in the rotation in the lower division. The Rules in question are a compromise, as stated in the G. O. but do not penalise any community. With regard to the Intermediate and Higher divisions, all the communities who were over-represented in the Public Service when the Rules came into operation still have considerable opportunities in the intermediate Division in that they may obtain 60 per cent. of the appointments which are open to unrestricted competition.

In regard to the statement made by two honourable members as to the continuance in office of the present Public Service Commissioner, I wish to say, without any reference to matters which may be described as personal to me, that there appears to be a misapprehension. The original Government order, which was passed 3 years ago, provided that the rules should be worked for a period of three years and then reviewed. The Public Service Commissioner was then appointed in office for 3 years. But the rules did not come into operation till about 2 years ago, owing to the necessity for collecting information, framing the Rules themselves and supplementing them by other Government orders wherever necessary, and doing a considerable amount of other preparatory work. The position therefore is that the Rules have been in working operation for just over two years, and the intention of Government, as expressed in their order, being to review the matter after the Rules have been worked for 3 years, there now remains nearly one further year before a review should be made. Therefore Government considered it desirable that the Commissioner who had been in office during the first two years of the operation of the Rules should remain for a further year; and the proposed review will be held at or about the time when the 3 years expire, that is to say, about one year hence.

I am going to invite the opinion of members of this House, as I have invited the opinion of members of another House, with regard to what I consider as major amendments to the Rules, and to request them to send to me for perusal and recommendation or otherwise to Government their proposals for the modification of the Rules; so that the opinion of all representative persons in the country may be before Government for the purpose of that review.

I should like the members to bear that in mind, as I made a similar suggestion in this House last year with regard to minor amendments, but during the course of last year, I have received only one proposal from a member of this House with regard to amendments to the Rules. I hope that my invitation will not go unheeded. This time, if the members seriously consider that amendments to the Rules are desirable, perhaps they will let me have the benefit of their opinions in black and white.

Before, however, members make any proposal to me with regard to a Staff Selection or Advisory Board, I may inform them that the attitude of Government is against the appointment of a Board, for the following reasons. In the first place I assume that the object of appointing such a Board is to assist the Commissioner and I gather that is the real object of the proposal. It may be, however that there are members who consider that the Commissioner should be either obstructed or that he should be checked. If the object of members is to assist the Commissioner, then that object is already or will be fulfilled so far as feasible in the following ways. So far as the Civil Service Examination is concerned, that is, the examination for the Higher Division, there are proposals before Government which they are now considering, (not proposals made by me alone, but proposals made by a committee) that the conduct of the examinations for the Civil Service should be carried out by a board of 3 officers; so that, for all practical purposes, there will be a Staff Selection Board for recruitment in the Higher Division. If it is not already in existence, it is under contemplation. So far as the Intermediate Division is concerned it is my practice, in all cases of higher appointments where Ithink it desirable to have the assistance of technical officers, to invite the head of the department concerned to go through the applications with me and give me the benefit of his opinion. In other words, we together constitute an *ad hoe* Staff Selection Board. So far as the Lower Division is concerned, a Staff Selection or Advisory Board is entirely impracticable. I work on the rotation, and a Board consisting of 3 or even 30 members could not alter the rotation. The suggestion that a Staff Selection Board, which is to meet quarterty, should deal with Lower Division appointments is verging at least on the incredible when members consider that advices are given daily. Before attending this Council today I have replied to two requisitions, and when I leave this House this evening I expect to find many other advices for signature. If any sort of Staff Selection Board for these appointments is to be employed, the daily routine of my office will become impossible. Perhaps members do not realise that such Boards elsewhere do not deal, as I do, with the appointment of peons and other minor appointments.

[Dr. G. D. Nokes.]

That is one particular aspect of the situation. There is another of greater importance, and that is this: The object of appointing a Commissioner who is not a member of this country is to avoid as far as possible, communal friction. It is common knowledge that wherever you get a Committee I do not use the term "Staff Selection Board" or "Public Service Commission" as I have no wish to cast any reflection on institutions outside this State, I will therefore use the word "Committee" which is composed of members of different communities who have to decide communal matters there is a tendency to undesirable bargaining. This therefore involves a perpetuation of the communal tension which the Public Service Recruitment Rules and the appointment of a single commissioner were designed to avoid. Thus it seems that the appointment of a Staff Selection Board would only be perpetuating what we are trying to prevent.

There is one other matter which I wish to mention in this connection. The members who ask for a Staff Selection Board appear to advocate that it should be composed wholly or partly of non-officials. I know of no Staff Selection Board or Public Service Commission in India which is not composed entirely of officials. Government officials on such Boards ought to act as officials and not as representatives of their communities; but the public unfortunately will not believe this, and will attempt to bring pressure to bear upon them to act communally. So the result is that, whether the Board is composed of officials or non-officials, the communal element cannot be excluded.

Therefore this proposal is opposed on these grounds. First, in so far as an unofficial Board is proposed, there is no precedent for it elsewhere in India. Secondly, an unofficial or partly unofficial Board will involve the perpetuation of communal differences. And thirdly, so far as an official Board is necessary it exists or will shortly exist, and so far as it is not necessary, it is impracticable. In these circumstances I hope, in view of the reasons which I have enunciated to members that the proposal for a Staff Selection or Advisory Board will not reappear.

The general debate covers a wide area and involves a number of detailed matters. I wish to make a distinction, as I have made elsewhere, between two types of proposed amendments. There are major amendments affecting the frame work of the Rules, which involve something contrary to the G. O. passed in 1935, and there are minor amendments, many of which have already been passed. Before the review takes place it is not possible, feasible, or desirable, I think, to make any major amendments. The deputation which has been referred to, which was received by you, Sir, in another

capacity, proposed certain major amendments. I then pointed out that these should be deferred until the review, and this is the reason why action was not taken on those proposals as was mentioned at that time.

President : The honourable member has five minutes more.

Dr. G. D. Nokes : Yes, Sir. If members find that all their points are not dealt with, I must ask them to realise that this is not because I am unwilling to deal with them, but because the rules and procedure make this cause impossible. I will endeavour to deal with as many points as I can, as briefly as possible. Reference has been made to the power of appointing authorities. The recent Government Order on the point has concentrated the powers of appointment in the hands of the higher authorities. It makes easier and smoother the working of recruitment in practice.

From the suggestions that have been made with regard to the position of the unrepresented communities, it appears that the representatives of particular communities, to some extent, have been disappointed. The report of my department for 1112 relates to the first 11 months in which the Rules were in operation. It gives a list of vacancies and of selected candidates, showing the numbers from the unrepresented communities. In that short period the full number of candidates selected from the unrepresented communities had not been appointed as all the estimated vacancies had not arisen in the Intermediate Division. Since then those men have been appointed in the majority of cases. If the percentage fell slightly below 40, it was far the reason and because there were exceptions when there were no qualified candidates for some appointments. But taking the Rules as a whole and the appointments as a whole, it will be found that during 1113 the proportion of 60 to 40 has been observed in the Intermediate Division. I shall not be surprised to know (though the final figures are not yet ready) that in fact the unrepresented communities have obtained much more than 40 per cent. of the Intermediate Division appointments during 1113, because they had the right to be selected among the 60 per cent. also.

With regard to Proverthicars, the suggestion that Government have broken the promise made last year is a mistake. As the House knows Mr. George, the Land Revenue Commissioner, then promised to forward proposal to Government; he did so; and in fact a Government Order on this subject was passed some months ago. According to that Government Order, 10 Proverthicars should be recruited each year. I advertised for the first 5 for one half year some months ago. It is true that the result of the advertisement was disappointing. But Mr. Kuruvilla's suggestion that Government have broken their promise is erroneous.

[Dr. G. D. Nokes.]

The Vellala community is grouped under "other Caste Hindus" for the purpose of recruitement. It is not possible, therefore, to say whether the Rules worked for their benefit or not.

The question of under-graduates is not a matter with which I am concerned. The proportion of 1 to 3 relates to promotion. It is not a matter of recruitment.

The suggestion that a medical examination of candidates should be conducted is misconceived. In the case of selections for Police Constables and Excise peons, where physique is a qualification, those selected might in a few cases have been undersized, or in other cases might not have had the required physical qualification, when the appointing autherities had to reject them. But now that the staff of my office has been augmented, regular medical examinations of such candidates are arrauged before advice on recruitment. In other cases it is the duty of the appointing authorities to satisfy themselves that the candidates are in good health before recruitment.

Mr. G. Narayana Aiyar: May I know whether the proportion now followed is based upon the number of qualified hands in any community or of the total population?

Dr. G. D. Nokes: The rotation is based, according to the Government Order, partly on numbers, irrespective of literacy, and the proportion in the Intermediate Division depends partly upon literacy.

I want to say a word with regard to women, who, it is suggested, should be treated as a separate community. The Recruitment Committee suggested that they should be considered as a separate community for appointments, but Government did not accept this recommendation. The rule will remain as it is unless the member who viewed this suggestion can convince Government that women form a separate community and are not parts of the communities of their small relatives.

I shall, in concluding, reiterate my invitation to members to send me suggestions with regard to major proposals. Let us hope that in the course of the coming year, when the Rules are reviewed, Government will have the assistance of these suggestions. Any difficulties felt by members to occur in the working of the Rules will receive serious consideration by Government.

The question that the demand be passed was, then, put and carried.

The motion was passed and the grant was made.

DEMAND XV—POLICE.

Mr. M. Ramachandra Rao: Sir, I rise to move for a grant not exceeding Rs. 7,54,824 under Demand XV—Police.

Mr. Kalloor Narayana Pillai: സർ, ഞാൻ ഈ ഡിമാൻഡിനെ അനുകൂലിക്കയാണു ചെയ്യുന്നത്. ഏതാനും ചില നിർദ്ദേശങ്ങൾ ഗവണ്മെൻറിൻെറയും പോലീസ് കമ്മീഷണരുടെയും ശ്രദ്ധയിൽ കൊണ്ടുവരണമെന്നുള്ളതാണ് ഈ ഡിമാൻറിനെ അനുകൂലിച്ചു സംസാരിക്കാൻ എന്നെ പ്രേരിപ്പിക്കുന്നതു്.

സർ, കഴിഞ്ഞ ഏതാനും കാലങ്ങളായി പോലീസ് കമ്മീഷണർ സ്ഥാനം ഒഴിവുവരുമ്പോൾ ഇവിടെ സർവീസിൽ ഇരിക്കുന്നവരെത്തന്നെ നിയമിച്ചുവരുന്ന പതിവു സ്തുത്യർഹമാണെന്നു് ഞാൻ ആദ്യമെ പ്രസ്താവിച്ചുകൊള്ളട്ടെ. ഈ നാട്ടിലെ ജനങ്ങളുടെ സ്ഥിതിഗതികൾ നല്ലവണ്ണം അറിയുന്നതിനു അവസരം കിട്ടിയിട്ടുള്ള ആളുകളെ ഈ സ്ഥാനത്തു പ്രവേശിപ്പിക്കുന്നതു ജനരക്ഷയ്ക്കു ഏററവും ഉതകുന്നതായ ഒരു സംഗതിയാണ്. അടുത്ത കാലത്തു ഓരോ ഡിവിഷനിലും വിജിലൻസ് കമ്മിററി ഏർപ്പെടുത്തി ജനങ്ങളുമായി സഹകരിക്കുന്നതിനു വേണ്ട സൌകര്യങ്ങൾ ചെയ്തിട്ടുള്ളതും സ്തുത്യർഹം തന്നെ. വിജിലൻസു കമ്മിററി മുഖാന്തിരം ജനങ്ങളുമായി പോലീസ് ഡിപ്പാർട്ടുമെൻറു സഹകരിച്ചതിൻെറ ഫലമായി പല സംഗതികളും അവർക്കു പ്രവൃത്തി പഥത്തിൽ കൊണ്ടുവരാൻ സാധിച്ചിട്ടുണ്ടു്. എന്നാൽ ജനങ്ങളുമായി അധികം ഇടപെടേണ്ടിവരുന്ന ഈ ഡിപ്പാർട്ടുമെൻറിലെ ചില ഉദ്യോഗസ്ഥന്മാരെ സംബന്ധിച്ചു പല അപവാദങ്ങളും കേൾക്കുന്നുണ്ടു്. ഇതു് അധികവും പോലീസ് ഇൻസ്പെക്ടർമാരെയും അവർക്കു താഴെയുള്ള സിൽബന്ധികളേയും സംബന്ധിച്ചാണ് കേൾക്കാറുള്ളതു്. പോലീസ് ഉദ്യോഗസ്ഥന്മാർ സമാധാന പരിപാലകന്മാരാണല്ലോ. അവർ സമാധാന പരിപാലനാത്ഥം പ്രവർത്തിക്കുമ്പോൾ അതിനു പ്രതിബന്ധമായി നിൽക്കുന്നതു്, വാസ്തവത്തിൽ എൻെറ അറിവിൽ പെട്ടിടത്തോളം, യോഗ്യന്മാരായ ആളുകൾ തന്നെയാണ്; യോഗ്യന്മാരിൽ അധികം ആളുകൾക്കു പോലീസുമായി ഇടപെടേണ്ട ആവശ്യമുണ്ടാകുമെന്നു എനിക്കു തോന്നുന്നില്ല. മുപ്പത്തിരണ്ടു സംവത്സരമായി വക്കീൽ പണിയിൽ പ്രവൃത്തിച്ചുകൊണ്ടിരിക്കുന്ന എനിക്കു യഥാത്ഥത്തിൽ ഒന്നോ രണ്ടോ പോലീസ് ഇൻസ്പെക്ടർമാരെ മാത്രമെ പരിചയമുള്ളു. കാരണം അവരുമായി എനിക്കു യാതൊരു ബന്ധവുമില്ല എന്നുള്ളതാണ്. എന്നെപ്പോലെ ആയിരിക്കും മററുള്ളവരുടെയും സ്ഥിതി. നേരെമറിച്ചു് ഏതാനും റൌഡികളെ അമർച്ച വരുത്തുന്നതിന് ഒരു പോലീസുദ്യോഗസ്ഥൻ ശ്രമിക്കുമ്പോൾ ചില യോഗ്യന്മാർ അവരെ സഹായിക്കാൻ പുറപ്പെടുന്നതാ

[Mr. Kalloor Narayana Pillai.]

യികാണാം. ഒരു പോലീസ് ഉദ്യോഗസ്ഥൻ പൊതുവേ ജനങ്ങൾക്ക് തൃപ്തികരമായി ഭരണം നടത്തുന്നു എന്നു പറയുന്ന പക്ഷം ആ ഉദ്യോഗസ്ഥൻ ശരിയായി ജോലി ചെയ്യുന്നില്ലെന്നു വേണം വിചാരിക്കാൻ. യോഗ്യന്മാരായ ആളുകൾക്കു പോലീസ്കാരിൽ നിന്നും യാതൊരുപദ്രവവും വരാനില്ല.

എന്റെ അനുഭവത്തിൽ റൗഡികളുടെയും കേഡികളുടെയും പേരിൽ ൪൦ ാം വകുപ്പിനും ൪൫ ാം വകുപ്പിനും കേസ്സെടുത്തിട്ടുള്ള ഒരു കേസിലും അവരെ ശിക്ഷിപ്പിക്കത്തക്കവണ്ണം സാക്ഷിപറയുന്നതിന് ആളു കിട്ടാതെ പോലീസുകാർ വിഷമിച്ചുവരുന്നതായി എനിക്കറിയാം. ഈ റൗഡികളെ ഭയപ്പെട്ടു യോഗ്യന്മാരായ ആളുകൾ വേണ്ടിവന്നാൽ അവരെ സഹായിക്കയല്ലാതെ വിപരീതമായി നില്ക്കുകയില്ല.

ഈ സംസ്ഥാനത്തു പോലീസുകാർ ൪൦-ാം,൪൫-ാം വകുപ്പുകൾ ചാർജ് ചെയ്യുന്ന കേസുകളിൽ നൂറിനു അഞ്ചു വീതമെങ്കിലും ശിക്ഷയിൽ വന്നിട്ടുണ്ടോ എന്നു എനിക്കു സംശയമാണ്. ഇതിനു കാരണം പൊതുജനങ്ങൾ പോലീസുകാരുമായി സഹകരിച്ചു പ്രവർത്തിക്കുന്നില്ലെന്നുള്ളതാണ്. ഒരു നായർ ഒരു ക്രിസ്ത്യാനിയെ കൊല്ലുന്ന ഒരു ക്രിമിനൽ കേസുത്ഭവിക്കയാണെങ്കിൽ അതിന് ഉടനെ ഒരു വർഗ്ഗീയത കല്പിച്ചുകൂട്ടും. പോലീസിനെ സഹായിക്കാൻ ക്രിസ്ത്യാനികളും നായരെ സഹായിക്കാൻ നായന്മാരും ഒന്നിച്ചുകൂടും. ഇങ്ങനെ വരുമ്പോൾ യഥാർത്ഥത്തിൽ കുററക്കാരനെ ശിക്ഷിക്കാൻ സാധിക്കാതെവരും.

പോലീസ് ഇൻസ്പെക്ടർമാർ കൈക്കൂലി വാങ്ങിക്കുന്നു എന്നൊരാപരാധം ഈയിടെ കുറച്ചുകാലമായി കേൾക്കുന്നുണ്ട്. കൈക്കൂലിവാങ്ങിക്കുന്ന ഉദ്യോഗസ്ഥന്മാർ പോലീസ് ഡിപ്പാർട്ടുമെൻറിലുണ്ടെങ്കിൽ അതു അവരുടെ കുററമല്ല. അവരുമായി അടുത്തു പെരുമാറുന്നയാളുകൾ ചില ശുപാർശകൾ ചെയ്താൽ ഇരുപതോ മുപ്പതോ രൂപ വാങ്ങിക്കുക എന്നുള്ളതു സംഭവ്യമാണ്. ഇതിലധികവും കൊടുക്കുന്നവരാണ് കുററക്കാർ. യഥാർത്ഥത്തിൽ അഭിനന്ദനാർഹമായ വിധത്തിൽ ജോലിചെയ്യുന്നപോലീസ് ഇൻസ്പെക്ടർമാർക്കു വേണ്ട തരത്തിലുള്ള പ്രോത്സാഹനങ്ങൾ നൽകുന്നില്ല. അടുത്തകാലത്തു ഒരു നിർദ്ധനനായ ഈഴവൻ ഒരു പാട്ടപ്പുരയിടത്തിൽ താമസിച്ചുകൊണ്ടു കുറേശ്ശവസ്തുസമ്പാദിച്ചു തുടങ്ങി. ഇപ്രകാരം വസ്തു സമ്പാദിച്ചതെങ്ങിനെയാണെന്നന്വേഷിച്ചു

പ്പോൾ അവന് ഒരു നിധി കിട്ടി എന്നു പറഞ്ഞു. പോലീസ് ഇൻസ്പെക്ടർ ചെന്നു അവന് നിധികിട്ടിയ സ്ഥലം പരിശോധിച്ചശേഷം താമസിക്കുന്ന മാടത്തിൽ കയറിനോക്കിയപ്പോൾ ആ മാടത്തിന്റെ തറയിൽ വിടവുകൾ കാണവാനിടയായി ആ സ്ഥലം കുഴിപ്പിച്ചുനോക്കിയപ്പോൾ ഏതാനും ചില അങ്കികളും പ്രഭയും മററുമൊക്കെ സ്വർണ്ണത്തിലുള്ളത് ഈ വിടെ കണ്ടു. അവൻ ഒരു ദേവസ്വത്തിലെ ഭണ്ഡാരം മുറിച്ചു വിഗ്രഹങ്ങളും മററും മോഷ്ടിച്ചുകൊണ്ടുവച്ചിരുന്നതാണ് ഈ നിധി. പോലീസ് ഇൻസ്പെക്ടർ ഈ കേസ് വളരെ സാമർത്ഥ്യത്തോടു കൂടി കണ്ടു പിടിച്ചു. ഈ ദേവസ്വത്തിലെ ഊരാഴ്മക്കാർ പ്രസ്തുത പോലീസ് ഇൻസ്പെക്ടർക്കു ഒരു മെഡൽ സമ്മാനം കൊടുക്കണംഎന്നു നിശ്ചയിച്ചു പോലീസ് കമ്മീഷണരുടെ അനുവാദത്തിനായി അപേക്ഷിച്ചു. കേസ് ശിക്ഷയിൽ വന്നതിനുശേഷം മെഡൽ സമ്മാനിക്കാമെന്നു പോലീസ് കമ്മീഷണർ അറിയിച്ചു. കേസ് ശിക്ഷിച്ച് വളരെക്കാലം കഴിഞ്ഞിട്ടും മെഡൽ സമ്മാനിക്കാനുള്ള അനുവാദം ഇതുവരെയും കൊടുത്തിട്ടില്ല. ഇങ്ങനെ സ്വകൃത്യം സാമർത്ഥ്യത്തോടുകൂടി നിർവഹിക്കുന്ന ഉദ്യോഗസ്ഥന്മാരെ പൊതുജനങ്ങൾ പ്രോത്സാഹിപ്പിക്കുവാൻ ഉദ്യമിച്ചാൽപോലും അതിനു തക്കതായ അവസരം പോലീസ് കമ്മീഷണർ കൊടുക്കുന്നില്ല.

പോലീസ് ഇൻസ്പെക്ടർമാരിൽ ചിലർക്കെല്ലാം ൨൫ രൂപയും ൩൦ രൂപയും, ആക്ടിംഗ അലവൻസ് ഏവു മുക്കാൽ രൂപയുമാണു ശമ്പളം. ഉൾനാട്ടുകളിലെല്ലാം ഇവർക്കു കുറെ സ്ഥിതിയുണ്ടെന്നാണ് വയ്പ്പ്. പത്തുരൂപ വാടക കൊടുക്കാതെ കെട്ടിടം കിട്ടുകയില്ല. കുടുംബച്ചിലവു നിർവഹിക്കണം, സ്വന്തം കുട്ടികളെ പരിരക്ഷിച്ചുയോഗ്യമായ നിലയിൽ ജീവിക്കാൻ ഇവരുടെ ശമ്പളം മതിയാകാതാണിരിക്കുന്നതു. ഇവരെ ശരിയായ വിധത്തിൽ പ്രോത്സാഹിപ്പിക്കേണ്ടതാണു.

ഇപ്പോൾ ട്രാഫിക് ഇൻസ്പെക്ടർമാരുണ്ട്. ഇത്രയും ഇൻസ്പെക്ടർമാർ ഇവിടെ ആവശ്യമില്ല. ഇവരിൽ നാലുപേരെ കുറവുചെയ്തു ശേഷമുള്ളവർക്കു ടി. എ കൂടുതൽ കൊടുത്ത് ഓരോ ഇൻസ്പെക്ടരെ ഓരോ ഡിസ്ത്രിക്ടിലും നിയമിച്ചാൽ ഇന്നത്തെക്കാൾ ജോലി കാര്യക്ഷമമായിനടക്കും.

അടുത്തകാലത്തു വ കാൺസ്റ്റബിൾമാരെ ഡിസ്മിസ് ചെയ്തതായി കേട്ടു. അവരെ മദോന്മത്തന്മാരാക്കി ഇറക്കി അടിപ്പിക്കുന്നതിനു പ്രോത്സാഹിപ്പിച്ചയാളുകളെ ഒന്നും ചെയ്യാതെ പാവപ്പെട്ട കാൺസ്റ്റ

[Mr. Kalloor Narayana Pillai.]

ബിഹമാരെ ഡിസ്മിസ് ചെയ്യുന്നത് ഒട്ടും തന്നെ ശരിയല്ല. അവരെ അതിലേക്കു പ്രേരിപ്പിച്ചവർക്കു കാൽരൂപയോ അര രൂപയോ ഫൈൻ ചെയ്താൽപോരാ. അങ്ങിനെയുള്ളവരെ വേണം ശരിയായ രീതിയിൽ ശിക്ഷിക്കാൻ.

സി. ഐ. ഡി. വകുപ്പിനെ സംബന്ധിച്ചാണ് ഇനി എനിക്കു പറയുവാനുള്ളത്. സി. ഐ. ഡി. വകുപ്പിൽ വിദ്യാഭ്യാസവിഹീനന്മാരായ ചിലരെ നിയമിച്ചിട്ടുണ്ട്. അടുത്ത ഒരവസരത്തിൽ മി. ഇ. വി. കൃഷ്ണപിള്ള മരിച്ചോ ഇല്ലയോ എന്നുള്ള സംഗതിയിൽ ഒരു സി. ഐ. ഡിക്കാരനു സംശയം നേരിട്ടു അന്വേഷണം തുടങ്ങി. തമ്പാനൂർ ഹാളിൽവച്ചു കൂടിയ ഒരു യോഗത്തിൽ വന്ദ്യനായ മി. മള്ളൂർ ഗോവിന്ദപ്പിള്ള മലയാള സാഹിത്യമുള്ളിടത്തോളം കാലം മി. ഇ. വി. മരിച്ചിട്ടില്ല, മരിക്കയുമില്ല." എന്ന് പറഞ്ഞു ഇതു കേട്ടിട്ട് സി. ഐ. ഡിക്കാരൻ ഇ. വി. കൃഷ്ണപിള്ള വാസ്തവത്തിൽ എവിടെയോ ഒളിച്ചിരിക്കയാണെന്നു വിചാരിച്ചു (ചിരി) ശരിയായ വിദ്യാഭ്യാസമില്ലാത്തവരെ സി. ഐ. ഡിയിൽ നിയമിച്ചാലുള്ള ദോഷമിങ്ങനെയാണ്, സി. ഐ. ഡിയിൽ എപ്പോഴും യോഗ്യന്മാരെയും നല്ല കുടുംബത്തിലുള്ളവരെയും നല്ല വിദ്യാഭ്യാസമുള്ളവരെയും നോക്കി നിയമിക്കേണ്ടതാണ്. ഇന്നത്തെ സി. ഐ. ഡി റിപ്പോർട്ടു വിശ്വാസയോഗ്യമല്ല എന്നുള്ളതു എല്ലാവർക്കും അറിയാവുന്ന ഒരു സംഗതിയാണ് ഇതിനു ഒരു പരിഹാരം ഉടനെ ഉണ്ടാക്കണം. ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ടു വിരമിച്ചുകൊള്ളുന്നു.

Mr. K. R. Elenkath: Sir, I belong to none of the conflicting parties and I wish to make a few observations on some important things with the best interest of the country at heart and without prejudice or bias. I would first of all deal with the C. I. D. menace in the State. Sir, in the interests of the State and in the interests of the citizens of the State, I would ask the Government to abolish altogether this section of the department. Sir, the C. I. D. Department has been, to a large extent, contributing much to the unrest and misunderstandings as between officials and officials, as between officials and non-officials and as between non-officials themselves. Sir, it is quite improper for a C. I. D. to be let on the trail of the movements of an honest officer on some assumed suspicion. Sir, there are C. I. Ds. watching us and we cannot visit such non-officials who hold a particular political opinion Even the officials are not allowed to visit them even though they are their relatives or friends of long standing. Sir, for example a

responsible officer may have business transactions with a non-official who hold political views other than his. And if he visits the non-official once or more than once he is suspected to be in league with the non-official. And this sort of impression on the part of Government shakes his devotion and loyalty to the Government and he may, at times, become subersive though not apparently. Now, Sir, it was a surprise to me to know that one of the big officials in the country did not even invite for a marriage function a bosom friend of his, a person who was his classmate all through his educational career, because that friend was holding a different political view.

Therefore, Sir, it may be to the best advantage of Government to allow their officers to have free talks with such non-officials who hold so-called subversive and disloyal views so that they might be converted to the Government side. But to breed and let loose suspicion and ranker among the place of public life is no advantage to Government and sometimes it may prove dangerous to them.

Now, Sir, as between officials and non-officials there may be people related to or who are friends of the officials who may hold different views in politics. But to suspect such officials to be in league with their relations or friends whose political view Government do not countenance will not in any way be advantageous to public life. Sometimes the insinuating C. I. Ds. may cook up report which may do havoc to the careers of these officers. At other times, some school boys, as an act of bravado, may utter things about Government and its doings which a C. I. D. may hear and report to Government. If Government were to take cognisance of it, then I think, Sir, about 90 per cent. of the school boys may have to be punished. But I shall not proceed to deal with matter about which I have no detailed knowledge.

Sir, before I close I must deal with one subject which I cannot desist remarking. That is about the treatment meted to the college students. Sir, I do not agree with the view that the college students should be allowed to have their own way. But I am of the opinion that the situation might have been controlled by the officers responsible and I doubt whether such a contingency as a lathi charge would have ever arisen. Sir, I ask whether the Commissioner of Police or the District Magistrate could not have averted the situation if they had risked some stone throwings and saved much innocent blood. Sir, even an outsider, Mr. Watkis, was the least afraid of being hurt and he moved with the students and pleaded with them to quit the place. And I am one of those who believe that the students are amenable to reason. As an instance of this, I shall just quote an incident which took place in 1097 during

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the students strike. Sir, I happened to be near the Cochar stream when a crowd of students were rushing in procession and when they reached the spot where there was a constable on duty, they crowded around the constable and was just going to handle him mischievously. Sir, then it struck me that some immediate action was necessary to save the constable from being lynched. Because I was well known with the students, as I am one who is bred and brought up in Trivandrum, I rushed to the constable, caught hold of his hand, and along with him we went to a Vakil's office nearby and got him inside a room. Just then I came outside and told the boys that a petty constable who was getting Rs. 7 or 8 was not responsible for the alleged high handedness that were shown to them and if they persisted in these sorts of mischievous deeds, they would loose the sympathy of the people who had then seen righteousness on the students' cause. Then I asked them to get back the cap of the constable which they had taken forcibly from him and thrown on the road.

Sir, I appealed to them to get back the cap which was flying and it was instantaneously brought up from the Kochar stream. I point out this incident to show that if the people can persuade the students to do the right, certainly they, being more educated and more cultured than the low-paid police servants, will obey the law. I only point out these incidents to show that if these Government subordinates have any idea of the policy of His Higness the Maharaja, to whom by tradition and instinct the safety of the humblest of the humblest is the anxious concern, I would certainly say, these officers including the professors, could have gone to the spot and risked some stone throw and even a few drops of blood to avoid the calamity of streams of blood flowing from the heads of boys.

President: The honourable member has two minutes more.

Mr. K. R. Elenkath: I only wanted to point out that these incidents could have been avoided if proper action has been taken. I know that Government are the target of criticism in this connection, because of the thoughtlessness of the officials, because every action of the subordinates is put at the head of the Government and the Government make no response to them. If these Government servants therefore could be responsible for the duties entrusted to them, such calamitous incidents could have been averted.

President: The honourable member will finish soon.

Mr. K. R. Elenkath: Sir, a word about the question which Mr. Kalloor Narayana Pillai mentioned. I cannot agree with the opinion expressed by him in support of his argument. As has been well expressed elsewhere, this Village Vigilence Committees are doing greater harm than good. These constables and head contables are only tools of corruption and they merely share the spoils of corruption. The sooner the thing is abolished it is better. Why should there be a Village Vigilence Committee? Each Inspector can go to the village and get information. So, I would appeal to the Government that the Vigilence Committe System should be totaly abolished and that the Government will see that everything is done by the officers.

Sir, with regard to the punishment of officers, these punishments show that Government had directly nothing to do with these actions. I would congratulate the Government for the immediate transfer of Mr. Lathif from the station and putting in a scruplously honest inspector in this place. I would also congratulate our Government for putting a scrupulously honest commissioner in the place of the most contemptuous commissioner.

Mr. Nedumangad R. Kesavan Nair: Sir, I oppose the demand. I am doing it with a view to point out to the Government the utter inefficiency of the Police Department, as would be seen from a number of incidents that took place in this metropolis for the last so many months, in quick succession. Sir, what was it that we are having here. Was it not a regular police *raj*? Was it not a regular reign of terror? They were having assaults on innonocent persons and that has become the order of the day. Burglary on the houses of innocent persons was on the increase. If only the Government had moved their little finger to alleviate these, many calamities could have been averted. Sir, the matter has become so stale that I feel constrained to speak about it. Week after week a number of incidents that have been discussed elsewhere occurred in quick succession. A series of articles published continuously in the newspapers in Travancore and elsewhere are being brought to the attention of the Government to no purpose. Sir, as I said, a number of unjustifiable assaults took place on innocent persons by unknown persons. It started with the assault on Mr. Madhava Warrier, an ex-M. L. C., an honest citizen and a journalist of considerable repute. This was followed by the assault on Mr. Muthalali who could not see eye to eye with the Government in political matters. When the matter was brought to the attention of the Dewan by means of a series of adjournment motions, he assured that something could be done. The then Commissioner of Police advanced a challenge stating that if he had been appraised of it earlier it would have been

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easier for him to detect the offender. Did not the incident take place under the very nose of the Chief Secretary? Was it not before the Public Gardens and the Zoo, where a number of persons resort during the evening, that this incident occurred? The Commissioner says that Mr. Madhava Warrier was assaulted by a lunatic "who descended from the heavens and about whom there is no......

President. I don't think that that announcement was made.

Mr. Nedumangad R. Kesavan Nair: Of course he did not say that the lunatic descended from the heavens but he was f the opinion that nothing was known about the lunatic. What was it that Madhava Warrier did that deserved such an attack? In the case of Mr. Muthalali the Police Commissioner says that he was given a gentle blow with a thin cane about one inch thick.............

Mr. M. Ramachandra Rao: No, that was not true.

President: Order, order; honourable members should address the Chair.

Mr. Nedumangad R. Kesavan Nair: Sir, I am not concerned with the dimensions of the cane. I will leave it at that. I do not say anything more about the assaults on Mr. Muthalali or Mr. Warrier. It has been sufficiently adverted to. But these acts do not stop there. A series of assaults of a strange nature were made on State Congress members in quick succession. They have become the subjects of assaults; their belongings are robbed; burglaries are committed in their houses and other insults are offered to them. In the fury of these "unknown assailants" even ladies are not spared.

Mr. N. V. Chacko: Is it because they are members of the State Congress or because they are lawyers?

Mr. Nedumangad R. Kesavan Nair: If any faith could be placed on circumstantial evidence, it is because they are members of the State Congress and not because they are members of the legal profession. Membership of the State Congress is their disability.

Sir, the next incident was in respect of Miss Annie Mascrene another member of the State Congress A burglary of a strange nature took place in her house. What was it that could be said against Miss Mascrene excepting the fact that she is after all, the only lady member of the State Congress. What became of the number of memorials that she has addressed to the Dewan? I am reading a portion of the sentences that she has sent to you. "New devices are.......''

Mr. Kottur Kunjukrishna Pillai : Sir, I rise to a point of order. Can a member refer to a document which has not been placed before the House, in the course of the discussion ?

President : No. The usual rule is that if an honourable member is to quote from a document that document has to be placed before the House.

Mr. Nedumangad R. Kesavan Nair : Yes, Sir. Suffice it to say that a series of letters have been addressed to the Dewan by Miss Mascrene which remain unheaded. That stops the Miss Mascrene incident.

Then there is one Parameswaran Nair, a member of the State Congress, who was assaulted during this period. I heard the Police Commissioner stating that he was assaulted by persons who were collecting sand from the Karamanai river near Kunchalumoodu. I would request the Commissioner of Police to learn the topography of Trivandrum and know for himself whether any river flows through Kunchalumoodu. It is so strange.

Sir, our doubts and apprehensions were confirmed when the most unhappy incident took place. I mean, the unkindest assault on our Secretary Mr. K. P. Nilakanta Pillai. This is a matter which is *sub judice*. The assailants were captured. But, we all know *how* the assailants were captured.

These are the assaults and burglaries that took place and excepting one incident, all the rest took place in the jurisdiction of one inspector who is on leave and about whose transfer Mr. Elenkath congratulated the Police Commissioner. Under ordinary circumstances, if a citizen is unjustly assaulted what would the Police Commissioner do ? If the Commissioner and his array of D. S.Ps A. S. Ps, Inspectors and the army of police constables are not able to trace out these "*unknown*" assailants how could the public be expected to have confidence in the police ? Sir, a series of circumstances inevitably lead us to draw the conclusion that there is some body some invisible agency to frame the whole thing. There appears to be a hand that regulates and contr ls the whole show. That stops there Mr. K. P. Nilakanta Pillai was assaulted, his ribs were fractured, and that was in the jurisdiction of Mr. Lathif.

President : The ribs were fractured ! I thought the ribs were here.

Mr. Nedumangad R. Kesavan Nair : Sir, I mean his elbows: It is the......

President : I am sorry : I see emotion carries away honourable member. But all the same, ribs and elbows must be distinguished (*Laughter.*)

Mr. Nedumangad R. Kesavan Nair: Sir, it is not emotion, it is the struggle for existing in this country.

President: Even in the struggle for existence there must be some distinction made between ribs and elbows. Yes, honourable member will proceed.

Mr. Nedumangad R. Kesavan Nair: Sir, regarding the physiognomy I am not much concerned.

President: It is physiology and not physiognomy. (*Laughter*)

Mr. Nedumangad R. Kesavan Nair: Sir, it is not the result of emotion, but it is the instinct of self preservation that makes me bring all these things to your notice. I think it is only in the fitness of things that I should give a personal explanation and I assert once again that I referred to these things as a result of the instinct of self preservation and not of emotion. It is the desire to live in this country that is uppermost in my mind. Whatever it might be, the assault on Mr. K. P. Nilakanta Pillai took place and a series of house burglaries also took place. We know that some of the assailants were detected. Miss Mascrene's case shows that she was prepared to give evidence; but the police were not prepared to accept them. To add insult to injury, the Commissioner of Police threatened her with criminal prosecution for some statements that she made. Any way, the question was dropped. I leave the matter there.

A number of acts of vandalism prompted by the police occurred in this town during these past few months. I was an eye witness to some of these. Probably you may not be in the know of things. Sir, you may be getting wrong reports of it from interested persons. I had the misfortune to see all these. I was present when Mr. Nariman came to Trivandrum. I know how the irresponsible D. S. P. of Trivandrum behaved on that occasion. The police brought a number of rowdies from Valiathurai. There was one Chacko, then one E. S. Kriman and Kochu Asanar, who were accused in criminal cases. They were prompted by the police to parade with black flags. If necessary I will mention the number of cases in which they were charged and I shall furnish any information that the Commissioner might require.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether the Commissioner alone can get the credit or whether District Magistrate of Trivandrum too gets the credit?

Mr. Nedumangad R. Kesavan Nair: Yes: the District Magistrate of Trivandrum also may take the credit if he wants.

Sir, I was the most unwilling witness to many of these incidents. Your literary genius Sathyanesan... ...

President: I don't think he belongs to me.

Mr. Nedumangad R. Kesavan Nair: Sir, he belongs to the Government Text Book Committee. Sir, he was the only factor that disturbed the meeting at Neyyattinkara. It was not a gathering of five hundred persons as the subsidised A. P. I. has mentioned. It was a gathering of nearly 7000. This Sathyanesan and a motor conductor, Ramakrishnan were the only persons who disturbed the meeting at Neyyattinkara. There were a lot of Police Inspectors there. But, they never moved a finger to enable the persons gathered there to conduct the meeting. They passively allowed these two to continue their ill motived interruptions. If the police officers had the least sense of responsibility in them they should have asked these hired interruptors either to sit quiet or to clear out.

Sir, it is stated that the State Congress is a subversive and disloyal body. If Mr. Pattom Thanu Pillai or Mr. Vasudevan Pillai a member of the State Congress and a leading Vakil and citizen of Neyyattinkara—had anything of disloyalty or of the subversive in them, this Satyanesan and Ramakrishnan would have been pulverised by the people that had assembled there. But Mr. Thanu Pillai and the other leaders of the State Congress, consistent with their creed of non-violence, appealed to the audience and prayed to them saying "Leave them alone ; let us not mar the effect of our agitation". And then, when the D. S. P. rushed to the spot and said that the meeting should be dispersed, without a murmer, without a protest, we obeyed. The next meeting was at Chengannur. There also, if the State Congress was really a subversive body, if Mr. Philipose had shown the least resentment, things would have been otherwise. I do not wish to say what the fate of the police could have been.

Mr. N. V. Chacko: What happened to Mr. Philipose at Chengannur ?

Mr. Nedumangad R. Kesavan Nair : He was slippered in the most cruel manner.

Mr. N. V. Chacko : With new slippers or with old ones ?

Mr. Nedumangad R. Kesavan Nair: An old one, I think. (*Laughter.*)

Sir, if he had not been a follower of non-violence, if he had not followed the tenets of Mahatma Gandhi, things would have been otherwise.

[Mr. Nedumangad R. Kesavan Nair.]

I am not reiterating the incidents at Shertalla and other places which have already been discussed. One word more about the Mavelikara election about which a sufficient number of pamphlets have been published, but none of which the Director of Information has contradicted. The police went about canvassing votes against the State Congress. I am sure that many of my honourable friends here would vouch for the accuracy of the statement published by Mr. Thanu Pillai, the President of the State Congress, which also has not been contradicted.

Mr. Kottur Kunjukrishna Pillai: Question.

Mr. Nedumangad R. Kesavan Nair: To say the least of it, it is scandalous if the allegations made by Mr. Thanu Pillai are true; and I have absolutely no doubt that they are true.

With your permission, Sir, I may just make one submission about the lathi charge at the Science College.

President: We have 30 minutes more for this Demand, and you have taken 17 minutes already.

Mr. Nedumangad R. Kesavan Nair: Sir, I have not much to say about the lathi charge at the Science College since my friend Mr. Elenkath has already adverted to it. But, Sir, look at the circumstances which led to that lathi charge. One honourable member of the Assembly moved a motion stating that there was some possibility of their being molested, and that therefore they must be protected; immediately the military and the police gathered round the Science College, and the cavalry and the police unauthorisedly entered the Science College and butchered the students. Sir, can we not conclude that two and two together make four? Could there be any doubt as to who is responsible for the lathi charge? In conclusion, Sir, I have only to say that, if the A. P. I. or the other subsidised papers do not publish full facts about these incidents and conceal things for the rest of the world there is *God* above who will certainly bear witness to all these. That is all that I have to say.

Mr. Kottur Kunjukrishna Pillai: Sir, I wish to offer a few remarks about the Police.

President: Honourable member will remember that, since I gave sufficient lattitude to the last speaker, we have only 20 minutes more for the time allotted for the demand to expire. It expires at 3·40. So the honourable member will conclude in about 10 minutes.

Mr. Kottur Kunjukrishna Pillai: Sir, we have been treated to very old stories beginning with the assault on Mr. Madhava Warrier and the other familiar incidents that have been

mentioned in season and out of season, here and elsewhere, by way of adjournment motions and otherwise, repeated *ad nauseum* so that we almost see the sight of a dead horse being whipped into life. Sir, there was perhaps something when these things were first mentioned, and the attention of the Government was drawn to them. But, by endless repetition and exaggeration, by utter disregard of truth in the statements made by the advocates on behalf of a certain sectin, these have become nauseating to a degree which, I am sorry, I cannot characterise in parliamentary language, so that I refrain from referring to them at all. About the Chengannur incident alone, I wish to say a word or two.

President: No, it is *sub judice*.

Mr. Kottur Kunjukrishna Pillai: I shall not refer to it, Sir, then.

The Police Department, I feel sure, exists for the purpose of maintaining law and order in this country. I too have got complaints against the police. Are they doing all they can to maintain law and order, to keep up the dignity of law, to uphold the freedom of movement and of speech of every member of the public, whatever be his political opinion? Sir, the air is full of threats, threats that the law will be disobeyed, threats that a particular political party is being treated by the Government as a plenipotentiary on behalf of the people of this State. Rumours are afloat that conversation is going on, correspondence is going on......

President: What is the honourable member referring to?

Mr. Kottur Kunjukrishna Pillai: I am referring to the statement issued by Mr. G. Ramachandran to the much-maligned A. P. I.

President: What is that? I do not quite follow.

Mr. Kottur Kunjukrishna Pillai: Mr. G. Ramachandran has published a statement that correspondence is going on between the State Congress Leader and the Government.

President: There has been no correspondence going on between the State Congress Leader and the Government, which is not public property already, which is confidential.

Mr. Kottur Kunjukrishna Pillai: Whatever may be the truth that is how people are being hoodwinked. Mr. Ramachandran has made a statement just as Mahatma Gandhi was making statements before he started the civil disobedience movement in British India.

Mr. R. V. Thomas: Is the honourable member in order in referring to the statement made by Mr. G. Ramachandran, which statement has not been placed before us.

President: Mr. Kottur Kunjukrishna Pillai is making some kind of statement apparently, the relevancy of which I have not yet fully understood. He says that somebody is going to release some correspondence between his party and the Government. Firstly there has been no such confidential correspondence which has yet to be released. Secondly, I do not see how it is all relevant to the present demand.

Mr. Kottur Kunjukrishna Pillai: But that statement has not been contradicted.

President: I do not think it arises under the Police Demand.

Mr. Kottur Kunjukrishna Pillai: Sir, my only point is that that is how things are going on; and the police are taking no action whatever to prevent the apprehension in the minds of the public regarding the various activities which are undermining the prestige of law and disturbing the faith on the part of the law-abiding public.

President: I do not think the honourable member can deal with the matter that way. Honourable members have seen it published in newspapers that a certain section will be doing some thing tomorrow or the day after, or some time later. Therefore, if the honourable member will wait for a few days more and see what happens, then it will be time enough for him to blame the Police Department or the Government, not now.

Mr. Kottur Kunjukrishna Pillai: Sir, in addition to this statement that I have referred to, regular propaganda is being carried on. Every day, in the Central Station Maidan meetings—

President: How does it arise under the Police Demand?

Mr. Kottur Kunjukrishna Pillai: The police ought to prevent these things; they are not doing it. They are waiting for situations to be created. Sir, every day, people are losing their sense of law; the dignity of law is being trampled under. I am very sorry to find that the Police Department does not in any way serve the interests of the law-abiding people of the State. Sir, I myself listened, from above the railway station, to what was going on in one meeting at least, and I could hear vulgar abuse being showered by irresponsible men, under the guidance, under the inspiration of the State Congress leaders; and all these youngsters are members of the State Congress.

President: I do not think it is open now to the honourable member to go into what may be called the details of the proceedings of any meeting held near the railway station or elsewhere. He will, as far as possible, confine himself to the police.

Mr. Kottur Kunjukrishna Pillai: I want to draw the attention of the department to the propaganda that is going on and to the fact that the police are not raising their little finger to prevent such undesirable propaganda.

Sir, it has been pointed out that they are following the creed of non-violence, and that but for that my friend Mr. Satyanesan would have been pulverised at Neyyattinkara. Sir, for what would he have been pulverised that day? Nothing but his ventilating his opinion at a public meeting held in his own locality. Sir, that is the type of non-violence that we have here. It was really a great thing that they did not pulverise Mr. Satyanesan for what he did. After all, Sir, it was a meeting convened on behalf of the public, and every body was entitled to express his opinion; in fact, the President of the meeting had assured Mr. Satyanesan that he would be given an opportunity to have his say. Sir, it was the President, who did not have the courage to face the situation, concluded the meeting all on a sudden and deceived Mr. Satyanesan, a public worker, a representative of an important community, by not giving him as promised an opportunity to ventilate his views on the particular matter which formed the subject of the meeting. Is that fairness, I ask, on the part of the leaders of a political party?

President: Will the honourable member please confine himself to the Police Department?

Mr. Kottur Kunjukrishna Pillai: With regard to the allegations made against the Police Department about their excesses, what I have to complain, on the other hand, is that the Police Department is not doing its duty properly, not maintaining peace and order properly, and that it ought to be more vigilant in the matter of safeguarding the interest of the public. (*Hear, hear.*)

Sir, it has been pointed out by some of my honourable friends that the Vigilance Committees are not working properly. On the one hand there is the opinion held out that more and more the public ought to be taken into the confidence of the Government. Sir, the police have necessarily to take people from among the public. If, therefore, we say that the Vigilance Committee should be avoided, it would merely amount to admitting that we have not got sufficient civic sense, civic responsibility, to do the work for which non-official bodies are constituted. It is an admission of incompetence; and people who advocate immediate responsible Government and all the rest of it ought to consider these aspects very carefully before they express their criticisms on these matters.

In regard to the various points elaborated by my friend Mr. Kesavan Nair, I must admit, Sir, that I cannot freely use the kind of language which he has been using. I would only repeat that

the police are not sufficiently active in preserving law and order, and ought to be more vigilant in preserving the rights and liberties of law-abiding citizens.

President: Three or four honourable members have given me their names with the idea that they are anxious to speak on this demand. I shall call upon either Mr. N. V. Chacko or Mr. R. V. Thomas of the State Congress party, and then call upon the Commissioner of Police.

Mr. N. V. Chacko: Sir, unfortunately, we are not growing from our old age to our younger days. There was only one known instance of building from the top downwards. It is said that Goethe's father tried to build his house from the top downwards. Since we have been growing from youth to old age, we know quite well what we used to feel in our student days. Students have a general feeling of repulsion against the policeman. The sight of a policeman in their midst is a cause of excitement to the students. In the students' strike of 1097, they were saying "തിപ്പോലീസുകാർ ഞങ്ങളുടെ ഇടയിൽ വരരുതു." What they wanted was that the policemen should disappear from their sight. I do not know why the students and pupils should have such disgust for the policeman. They were not taught so at home by their parents, or in the schools and colleges by their teachers and professors. Whatever the reason, that is the way of the students not only of Travancore but throughout the Universe.

Mr. Kottur Kunjukrishna Pillai: Is that the case with the students in the frontier regions also?

Mr. N. V. Chacko: Frontier of what? Travancore or the Universe?

Mr. Kottur Kunjukrishna Pillai: Travancore.

Mr. N. V. Chacko: The students belonging to the frontier taluks of Travancore are undoubtedly only better in their culture, manners, behaviours, and in every other respect than the students of the central and southern parts of Travancore as I had occasion to know from personal experience.

What I say is if the students do anything wrong within their own college compounds or premises they should be taken to task only by their professors and not by any body else. If the students throw stones or do the worst that they can possibly do from the college compounds the public should keep themselves out of range of any harm. We shall never allow anybody to enter the college and school compounds to trouble the students and pupils who shall be amenable only to discipline of the professors and teachers. If the students do any mischief within the college compounds their professors

should be held responsible for it ; and if any lathi charge is to be made in the college compounds, it should be on the professors and not on the students. If the roads by the college are not safe for the public from the students they may be fortified like the frontiers of France.

One thing also I find. There is something wrong with the Travancore Police. I do not know whether it is the labour pains or death pangs,that we are noticing about them. We are told that "those whom the gods wish to destroy, they first make blind"

President : It is "mad" and not "blind."

Mr. N. V. Chacko : First blind and then mad also.

President : According to the quotation it is only "mad."

Mr. N V. Chacko : Yes Sir, and I would add "blind" also. With regard to the police, the present order of things has to change yielding place to new, and the fates may be weaving their webs for that purpose. I am referring to what the reserve police have been doing during the time of Rajya raksha pravina, in the northern parts of the State. Some fourteen people were bathing or doing some such thing in a river. They were asked by the reserve police to stand on the bank face to face in pairs and assault each other. A son who refused to assault his father was very violently assaulted by the reserve police until the son was forced to assault his father with equal violence. An excellent example for the Travancore reserve police to set.

President : Does the honourable member make himself responsible for the statement.

Mr. N. V. Chacko : I do, Sir. Another example is of a man who took toddy from a shop under the auspices of the Government......

President : Order, order. Was the incident of people beating each other or the son beating the father ever brought to the notice of either the Government or the Police Commissioner ?

Mr. N V. Chacko : Yes, Sir. It was brought to the notice of the authority by means of petition &c. and I understand that the people who sent the petition are being coerced to withdraw the petition.

President : I put that question because I make it a principle to go through every petition that I receive and till now I have never heard of any such thing. So I just wanted to know whether the honourable member will make himself responsible for the statement made by him.

Mr. N. V. Chacko : Sir, I will not go on with instances. One instance is quite sufficient. The people of Travancore appear to worship the police. It was once said by Burke in the

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House of Commons that the people of India worshiped not only gods that helped them but those gods and goddesses also that did, or were capable of doing, harm to them. Whenever the people make a statement the police and the Government make assertions and denials contradicting it without any basis. I am reminded of what the Duke of Willingdon told his subaltern. The Duke once said that he found a rat in a wine bottle. His subaltern timorously suggested that it must have been a very small rat. The Duke asserted that it was a damn big rat. Then the subaltern added that the mouth of the bottle must have been very wide. The Duke asserted again that it was a damn narrow mouthed bottle. The people will not be taking the assertions and denials of the Government and the police as the subaltern took the assertions of the Duke.

President: The Police Commissioner will now speak.

Mr. M. Ramachandra Rao: Sir, I have heard the remarks from several members. I beg to classify them under different heads. I would first refer to the assaults, burglaries and other excesses about the Police. As far as I have seen from the records. (I think the House knows that I took charge of the department only about a month back) in the case of Mr. Warrier, when he was going along the Museum Road, somebody came from behind him, gave a slap on his back with a cane and ran away into the lane leading to Nathencode. Mr. Warrier went to the traffic constable near by and told him about the incident. But the traffic constable, as all know, is a stable man and could not leave his place. The man ran away in day light and unfortunately, Mr. Warrier could not say who he was. So, the man has not yet been identified. The second instance is that of Mr. Muthalali. He was walking along the road and as he was walking there was a man going on a bike along that road. Mr. Muthalali wanted to cross the road, but he could not cross it fast enough. So, the cyclist was about to dash Mr. Muthalali. He alighted from his bike and gave a slap on his back and said that he should not be in the way of wheeled traffic. He then got on his bike and then got away. This is what happened. These are the two assaults which were mentioned. Mr. K. P. Nilakanta Pillai's assault is *sub judice* and so I shall not refer to it. From the nature of the cases it will be seen that the police could never have been instrumental in those assaults.

Then, about the burglaries, unfortunately the burglaries in the houses of two members of the State Congress alone have been selected by the honourable members. There have been so many other burglaries which have not been found out. In all, there have been twenty cases of burglaries here.

Mr. Nedumangad R. Kesavan Nair: Did any of the State Congress cases clear up?

Mr. M. Ramachandra Rao: I do not know. In regard to the burglaries I cannot classify them as burglaries in the houses of the State Congress members and the burglaries in the houses of non-State Congress people.

Mr. Nedumangad R. Kesavan Nair: I wanted to know.........

Mr. M. Ramachandra Rao: I am not yielding my place.

President: Official members are expected to yield their places when questions are sought to be put to them.

Mr. Nedumangad R. Kesavan Nair: I wanted to know whether any of the burglaries that took place in the houses of the State Congress members, *viz.*, Miss Mascarene and Mr. Govinda Menon, has cleared up.

Mr. M. Ramachandra Rao: Sir, in Miss Mascarene's house Rs. 85 and a wrist watch were taken and in Mr. Govinda Menon's house his clerk's drawer was rummaged and Rs. 3¾ and one *mundu* were taken away. In all these cases, if there is a big theft, there are many things which could be identified and detected soon. But in a case where money is stolen it is difficult to trace the burglar.

Mr. Nedmaugad R. Kesavan Nair: I did not ask the amount that was stolen. I wanted to know whether any of those two cases has cleared up.

Mr. M. Ramachandra Rao: Sir, along with those two cases there have been twenty cases. Judge Kumaran came and told me that his gold chain was lost. There were also other cases. To pick out those two cases alone and to say that they happened because the persons belonged to the State Congress is far-fetched. That is just what I wanted to submit to the House. To attribute to the police that they want only to persecute the State Congress people is certainly going too far, because I have been seeing that they have been convening so many meetings in the guise of the Youth League and the Kerala Boy's Movement and so on, without any interference of the police.

Mr. Nedumangad R. Kesavan Nair: May I point out to the honourable member that the persecution referred to related to persecution before the honourable member took charge as Police Commissioner.

Mr. M. Ramachandra Rao: Even before I took charge I knew there were meetings at Trivandrum and at Neyyattinkara which were conducted very well. From the records of other

[Mr. M. Ramachandra Rao.]

meetings I see that unfortunately in every one of those places there have been two parties one party for the State Congress and another party against the State Congress and that when there were meetings, naturally they came into clash with each other. To attribute any hand in that matter to the police is something far-fetched. Now, every day they hold meetings and I have been watching these meetings. There have been no disturbances. I am protecting the State Congress people as much as I protect anybody else. I am therefore deeply pained to hear the House say that the police are responsible for disturbances at meetings convened by the State Congress party.

Mr. Nedumangad R. Kesavan Nair: So are we.

Mr. M. Ramachandra Rao: I now come to the general charges made against the department, that is, inefficiency and corruption. As regards these two, I only repeat what I said elsewhere. I have taken charge only recently and such of those as know me, I think, know me well. I mean to go out on circuit from about and Parur to the Cape and I assure the honourable members that I will stay there for one or two days. I request the honourable members of this House and of the other house to co-operate with me in my enquiries while I am there, so that if there is any defect in the department it can be remedied. To say that the Police Department is bad is as good as saying that we ourselves are bad. If the members of both the Houses give me complete co-operation, I assure you Sir, the name of the Department will be kept quite bright.

Regarding the Traffic and C. I. D., I repudiate the charge that the C. I. D. are watching Government Officers. During the period I have been in charge, I may assure the House that the C. I. D. have never brought any report against any officer and no C. I. D. officers has been deputed to watch a Gazetted Officer. The Traffic, and the C. I. D. departments will be taken up for re-organisation soon. After the re-organisation I am sure the House will have less cause for complaint.

There is only one thing more which I would like to mention and that is with regard to the Vigilance Committees. The purpose for which they have been brought into existence is sacred. The object is sacred and their functions are also sacred. What I would like to point out is that there are 839 Vigilance Committees and that in some of them the quality may be bad. Sir, in this matter we should try to mend and not to end them. So, in the course of my circuit if I find that some of the Vigilance Committees are absolutely useless in quality, I shall look into the matter. Vigilance Committees are certainly necessary and even if I have to reduce their number I shall certainly see that the quality is good.

Mr. K. M. Korah (*Vaikom, Kottayam and Changanacherry cum Peermade*) : May I know from the honourable member whether he is aware that certain of these Vigilance Committee members are persons of low status ?

Mr. M. Ramachandra Rao : That was the reason why I said I will look into the matter. When I go out on circuit I request the honourable members will co-operate with me and help me in this matter also.

President : The question before the House is that Government be granted a sum of Rs. 7,54,824 under Demand XV—Police.

The motion was carried and the grant was made.

DEMAND XVI—AGRICULTURE AND FISHERIES

Mr. K. R. Narayana Aiyar (*Director of Agricultur and Fisheries* : Sir, I beg to move for a grant of Rs 2.68,297 under Demand XVI—Agriculture and Fisheries.

Mr. A. Easwara Pillai (*Kottarakara and Pattanapuram cum Shencotta*) : Sir, I am constrained to make some observations in regard to this demand. Travancore is mainly an agricultural country. The bulk of its population belongs to the agricultural community. Their main occupation is also agriculture. I looked into the budget with great avidity to find some substantial provision for the improvement of the conditions of these people. I confess that I was sorely disappointed. The programme of the Government seems to be one of making the rich richer and the poor poorer. The poor men are called upon to starve and pay for the luxuries of the rich. Cities and towns are improved at the expense of the villages. Sir, I am positively sure that the Government are entirely ignorant of the conditions of these peasants. I represent the biggest agricultural constituency in the State. I am, myself, an agriculturist. I know intimately the condition of these agriculturists. They are in a very miserable plight. Almost ninety per cent. of their holdings have lost their economic importance on account of sub-divisions and fragmentations effected by operation of law.

(At this stage the Dewan-President left the Hall and Mr. Kotur Kunjukrishna Pillai one of the panel of chairmen, took the Chair).

There are frequent failure of crops on account of drought and inundation. The blizzard of economic depression hits them very hard. The price of agricultural produce has fallen too low that it is not even sufficient to meet the cost of cultivation. The indebtedness of agriculturists is also on the increase to an appalling extent.

Mr A. Easwara Pillai.]

The ryots are burdened with all kinds of taxation. Their homesteads and their chattels are distrained and sold for arrears of taxes. Squalor, penury and object misery stare them at their face.

Sir, the agricultural policy of the State was clearly and unambiguously laid down by the Dewan-President in his statement before the Joint Session of the Council and the Assembly last year, namely, commercialisation of agriculture and intensive cultivation. This year also that policy was emphasized and reiterated before the Joint Session of the Assembly and the Council by the Dewan-President I ask Government, what they have done in the matter of carrying out that policy. The agriculturists are not satisfied with the mere enunciation of a policy. They want something substantial. The purchasing of half a dozen sindhi bulls from Sind, and a set of cinema operator, according to me, will not in any way alleviate the distress of these poor people. The Financial Secretary has complacently said that we have a wind-fall this year. I say it does not reflect the condition of the majority of the people in this State. The Governmental machinery is working with incredible velocity and speed in all directions except in regard to agriculture. The department from its inception to the present time seems to be inelastic and inert. The officers appointed in the department do not know what their duties are. The department maintains, in spite of all that, a number of experts. I am told that they are making experiments in all directions with relation to agriculture for the last several years. They have not been able to produce any good result so as to benefit the agriculturists. I do not expect that the department should prove a success in the commercialisation, but I expect some tangible result from the exertion of these studious. experts. But they have been sleeping all the while receiving their fat salaries and occupying themselves in their laboratories without doing anything whatsoever. It is a very miserable plight and I do not find any reason for maintaining such an inert department. It is more an ornamental appendage, a mere wastage of public money. I do not advocate the abolition of a department if it is one which is mainly intended for improving the condition of the poor ryots of the State. But I advocate the immediate abolition of a department which is found to be of no help to the agricultural community. The present head of the department is a brilliant young man, patriotic and ambitious. He may be desirous of doing some thing for the good of his own country. But I ask how, with a scanty fund at his disposal and the aid of a set of studious experts, he would be able to do any good to the agriculturists. It is not

the fault of the head of the department. It is the ignorance of Government in not knowing the actual condition and the miseries of the people. It is the want of consideration and sympathy for the cause of these poor ryots that prevent Government from allotting large amounts and appointing really able persons to control the department.

In this connection I want to point out that the miseries of the people can be well known if the Government enquire into the condition of the rural parts. I venture to make some suggestions for improving the condition of the ryots. Firstly, I suggest that all the development departments, I mean the nation-building departments, be co-ordinated under one able officer so that he may be held responsible for the policy of that department. At present all these departments are managed and controlled by different individuals and, therefore, there is no continuity or co-ordination of policies. Therefore, I suggest that all the nation-building departments be brought under one officer. The next suggesion is that rural reconstruction work such as the starting of Village Punchayats, District Boards, Uplift Societies, and such other useful institutions be started by Government immediately. Thirdly, intensive and extensive cultivation so as to increase the output of food products must be started. A system of collective farming in agriculture should be started immediately. One of the honourable members suggested here that a new system of cultivation is in vogue, some where in North India, called by the name of electro-culture. It is reported in newspapers that it is a very efficient and effective system for improving the growth of plants. That must be experimented here also. In regard to the improvement in the livestock of our country, a real expert must be appointed. There are several experts for various branches of agriculture, and for the breeding of cattle and improvements in that direction, another expert is an absolute necessity. It is a vital question and I ask Government to appoint a real expert for that purpose. A number of cows from Sind or Kathiawar may be bought in this connection for improving the breeding of cattle. Another important suggestion is that a portion of the village population must be drawn into the towns so that unemployment among the villagers could be avoided. The Government should pay particular attention to this matter also.

As I emphatically brought to the notice of Government when the land revenue Demand was under discussion, I suggest that all taxes be abolished from this year onward. With these suggestions, I support the Demand.

Mr. M. Govindan: Sir I rise to support the Demand. In doing so, I wish to make a few observations. The Department of Agriculture and Fisheries has been in existence here for a fairly

[Mr M. Govindan.]

long time and the feeling amongst the people is that no sufficient advantage has resulted from the operations of this department. I do admit that the achievements of the department have not succeeded in introducing any staple food for the people to live on. There are many friends here who have got experience in other parts of the world and I was under the impression, that, if sufficient investigation was made on the lines of these countries, it would have been possible for the Travancore Agricultural Department also to find some new food which would serve as a cheap and staple food and be a substitute for the rice that is produced in the country. At the same time it is true that our country cannot go in for the same kind of investigations that are being carried on in England and other places where the climatic conditions are different. But, a place like the West Indies where the climatic conditions are exactly similar to ours can be thought of for investigation purposes. I am sure, by means of investigation, some kind of root food that is introduced there, can be brought about here also.

Mr. M. K. Ananthasiva Aiyar: May I ask whether tapioca will not be a sufficient substitute for rice in Travancore?

Mr. M. Govindan: I do not ignore the importance of tapioca. What I say is, tapioca is good enough; but there may be other better materials also. There is a larger wastage in tapioca; much that cannot be easily digested. On investigation it may be possible for the dapartment to find out some big root-like thing as is found in the West Indies which will form a staple food in our country. I am told, the big root-like thing resembling ചേന serves as food material for a week for an individual and its cost also is only very little. In the case of tapioca, in answer to my friend Mr. Ananthasiva Aiyar, I have to point out that it cannot be kept on for longer periods, because it gets a sort of darkish complexion which becomes poisonous.

Mr. M. K. Ananthasiva Aiyar: Then, could it not be preserved in a refrigerator?

Mr. M. Govindan: Perhaps, fish is better preserved than tapioca (*Laughter*).

Another point I have to make is this. I do not make it in a spirit of disparagement or hostile criticism on the present head of the department, or the operations carried on by the department. It is only a suggestion which an expert like Mr. Narayana Aiyar can make use in any way he can.

In regard to the work done by the experts in laboratories, my complaint has all along been that what was done in America, where Mr. Narayana Aiyar was sent for training, has not been made use of by him in the working of his department.

I ask why the system of collecting nitrogen in small sealed tubes as is done in America is not followed here. In fact, is he afraid that the nitrogen that we have in our atmosphere of 50 miles would all be consumed for agricultural purposes and there would be nothing left for purposes of respiration. I have not such a fear. The Americans have been doing that. We have been liberating enough of nitrogen from all dirty matter that is rotating on the soil. It will go on rotation and any deficiency that will be caused by making the natural resources would be replaced. My complaint is that something serious of this nature would be done because our manure is steadily lacking in nitrogen elements and what we are getting is by way of spreading the cowdung. That sort of thing is not enough. Expert knowledge must be made use of.

Now I pass on from the Agricultural Department to the Fisheries Department. There also my complaint is that we are getting only one kind of fish in one season. That is because our fishing is done in a precarious stage and the fishermen cannot venture beyond three miles. To go about 10 miles out to the sea, I believe, no question of international law will come in. In that case we can get any kind of fish in any season. We are getting only seer fish for another month. This sort of thing is not good. If we go sufficiently deep into the sea it will be a great help to the fisher folk and to those consumers of fish. It will also help the Cold Storage Section that has been recently started here. While speaking of the Cold Storage I will be failing in my duty if I do not record my thanks for the very good feast that he gave us and also for the very good fish that he is selling at a fairly cheap rate.

Mr V. S. Arumukham Pillai: May I know whether there is any difference in the taste of the fish that is kept in the Cold Storage Plant?

Mr. M. Govindan: A little difference is inevitable.

Mr. M. K. Ananthasiva Aiyar; Does it not emit the same stench?

Mr. M. Govindan: My friend is apparently lacking in experience. The most delicious thing on this earth is the most stenchy thing. The stench is only when it gets rotten. Very good fish is half the happiness of the world. My friend has not the benefit of personal experience. I am only speaking from experience. The Cold Storage Department that has been started is a benefit and it would be well-helped and supported by the suggestion that I have made for deep sea fishing.

There is one another point that I want to mention. My complaint is that they have not introduced any new variety of fish from the numerous water-logged places that we have from one end of the

[Mr. M. Govindan.]

country to the other and the number of rivers that we have and the fresh water and the brackish water lakes. We have all these conveniences and I think if I remember correct there is some suggestion that a new acquarium should be started and if you stock the various varities of fish it will be a good addition to the State.

Mr. K. M. Korah: In opposing this demand I wish to draw the attention of Government to one important fact. The people of Shertala Vaikom, Kuttanad and such other places mostly depend upon cocoanut for their existence. A few years have passed since the cocoanut palm disease has begun in those p'aces. We have been told that some expert is doing some experiments whereby some remedy can be suggested. It is a surprise to most of us that this disease has effected even Kuttanad areas which are considered to be very fertile. Nobody has ever suggested any remedy and the pity is that no remedy has been adopted. At this rate, I fear, whether the whole cocoanut plantation may be destroyed. If it is not possible for the present expert to find any remedy, I may respectfully submit that an expert from outside at any cost may be got down, so that the disease may not crop up again and the one that has already cropped up may be avoided. I am sorry, I have to make the remark that, as far as Kuttanad is concerned the Department of Agriculture is not considering the extensive areas we cultivate without any aid from the Government and the risk and uncertainty engendered by the peculiar condition of these lands, it must be admitted that the courage and skill we display are without any parallel. Just immagine that it is the stormy Vembanad that has been converted into paddy fields and that has considerably increased the revenue of the Government My sub mission is that that part of the land requires more consideration at the hands of the Government. Most of us who are engaged in agriculture know that at present *punja* cultivation in Kuttanad is almost a loosing concern. Unless some new methods are suggested I fear most of us will be forced to avoid cultivation itself.

In this connection I may also bring to the notice of Government certain difficulties which we, the agriculturists in Kuttanad are subjected to on account of floods. There is one peculiar characteristic with reference to floods in Kuttanad by reason of its suddenness and this suddenness may be attributed to the clearence of forests and the sudden flow of rain water into the rivers that flow through Kuttanad. In previous years when there were floods, water usedto disappear immediately, so much so we did not feel much difficulty on that account. The extensive reclamation and the Cochin Harbou works seem to be the main cause for the greater duration of the floods. As I submitted on another occasion, we have only cocoanu

plants and paddy cultivation in Kuttanad. We have no otherwork. Thisconstant and sudden flood every year makes it impossible to raise catch crops. In places other than Kuttanad they have tapioca and other things and even without rise they may be able to pull on. But I may tell you very frankly that very many poor labourers at present suffer from famine partly due to the absence of work there and partly due to other economic considerations. If it is possible to rise the catch crops they may be able to pull on. Another difficulty is with regard to the keeping of cattle and the consequent deterioration of cultivation. In addition to all these difficulties there are other difficulties, namely the uprooting of cocoanut trees, the reduction of cocoanut crops, due to waterlogging and the inconvenience to the inhabitants caused by the flooding of dwelling houses. Another point which I want to bring to the attention of the Agricultural Department is that there are extensive *Kari* lands from where we get only very small yield. If Government would kindly accept my suggestion, I think we will be relieved a good deal. The remedy that I may respectfully submit for the consideration of the Government is the opening of an exit somewhere between Parakkad and Thottapally of such a design that the sea water cannot get in and flood water may flow out and thus if flood conditions are prevented, I am sure that even *Kari* fields would be able to fetch better results. There is another disadvantage in most of our *punja* lands where we are able to raise only one crop yearly. If the floods are to be prevented double crop may be raised and it will be a source of great help to us.

Chairman : You have got only 2 minutes more.

Mr. K. M. Korah : I hope that Government would very seriously consider this question. With these words I resume my seat.

Mr. M. K. Ananthasiva Aiyar : Sir, I support the demand Indoing so, I endorse the view expressed by my honourable friend. Mr. Easvara Pillai about the peculiar needs of Kuttanad. But the amount alloted to the department is too poor. We cannot blame the Government for this. It is a very long time since the department was set up and it has not yet created any good impression in the minds of the people. Sir, the existense of certain farms which are being run by the department, is really a shame to the department. There is a pepper farm at Konni which has consumed a lot of money, It seems that that farm has a good acreage. Generally the yield from one acre of pepper plantation is about half a candy of pepper. But from 60 or 70 acres of pepper cultivation the department gets only 3 or 4 candies of pepper. Then there is another farm for cocoanut cultivation near Ochira. There the whole trees are affected with pests.

Mr. Kallur Narayana Pillai: കോന്നിയിൽ കാട്ടു മുളകേയു ള്ളുഎന്നു മെമ്പർക്കറിയാമൊ ?

Mr. M. K. Ananthasiva Aiyar: അതേഉള്ളു. നല്ലമുളക കൊടിയല്ല.

Similarly there is another farm near Alleppey known as the Avalukunnu farm planted with cocoanut trees.

Mr. M. Govindan: May I know from the member whether it is as a commercial business that these farms are started or whether it is only to show that the soil can be much improved by ideal manuring ?

Mr. M. K. Ananthasiva Aiyar: Sir, if anybody is to follow the example shown by these farms it is sure as anything that he will be ruined. Therefore, it is my humble opinion that all the trees in these farms may be cut down and sold away and the profits obtained may be utilised for some other beneficial purposes. Our agriculturists are most of them conservatives. They are not prepared to follow each and every advice given to them orally. But if they are convinced of the good results then they will certainly follow the advice. For this purpose, the department must do something tangible. Now the department has 100 and odd stations under the control of the Inspectors and nobody knows where these stations are and what the experiments conducted are. The amounts that are being set apart to be spent on these experimental farms seem to be devoured by the Inspectors There is one *Kari* station at Thottapally and it is quite unfit for paddy cultivation. The surface soil is found to be unsuited for paddy cultivation. Some contract was given to somebody for removing the soil. This was all the work that was done in the farm. But for making the people to be convinced of the fact that soil and cultivation can be much improved, the department should be able to do some sort of experimental cultivation in extensive areas of ryots lands. Let the department divide the ryots lands into two equal parts. Let one be the control plot and the other experimental and let the ryot himself cultivate both the plots. The department need only spent the additional expense needed for the experiment. If improvement can be shown the department can take the cost incurred by it. In this way the department can satisfy the ryot about the superiority of scientific cultivation which fetches more profit,

Sir, in regard to the cocoanut diseases there are two varieties of disease. One type of disease can be remedied. I have myself tried that experiment suggested by the department and it has been found successful so far as the leaf pest diseases are concerned.

With regard to the root disease the department has not been able to do anything. Some more studied men should be got down even paying a higher salary if necessary to do some experiments and find out a remedy for the root disease.

Now coming to the Agricultural Board I have to say a few words. The Board discuss ever so many matters and send up proposals and recommendations to Government for their consideration. It is a pity that Government do not give due consideration to all their recommendations. Yet, it is gratifying to note that Government have sanctioned this year a sum of Rs. 7,000 for propaganda purpose. I trust that the Director of Agriculture would make the best use of the additional amount granted to the department and try as far as possible to see that the farms now under their control, which he himself will admit cannot be improved, will be disposed off by the Government and the proceeds utilised for some better purpose of the department. With these words I resume my seat.

Mr. N. V. Chacko: Sir, in supporting the Demand I have to add only a few words to what my predecessor has said. We do not enjoy any practical benefit from the department. The agriculturists of Travancore have reached a condition that is almost the limbo of despair and despondency. I think, Sir, that ere long people will be obliged to give up agriculture. Government themselves know that the condition of the agriculturists is very bad and that this condition, they say, will continue for an indefinite time Government seem to have resigned themselves to this condition. They do not seem to be willing to help the agriculturists in any material way or at least to try to help them. The Government and the department should do something to better the lot of the agriculturists.

With reference to the taluks of North Travancore which are subjected to periodical floods and droughts the Agricultural Department, the Land Revenue Department, the Irrigation Department and the Government do not seem to be aware of these facts. In North Travancore we have got the *Mari* or *Myal* lands depending entirely for cultivation on the freaks of nature. In this connection, I may invite the attention of the department to the lack of manure. Manure is not available easily or cheaply. People used to get green manure very cheaply and abundantly. Now they do not get it so. Manure should not be dear or difficult to obtain. It should not be like exporting gold from America. The people should be able to get good manure at least within a distance of a mile or so from their lands,

[Mr. N. V. Chacko.]

Sir, the condition of the cattle is also fast deteriorating. People should be able to get good cattle cheaply. There is prevalence of diseases like anthrax and great scarcity of fodder. I would suggest to Government that the department should approach individual cultivators and ordinary peasants and advise them with regard to the cultivation of their lands and the keeping of their cattle in fit condition. With these words I resume my seat.

Mr. James Fletcher (*Kalkulam and Vilavankode cum Neyyattinkara*): Sir, I support the Demand. In doing so, I desire to draw the attention of Government with regard to the Shank industry in Travancore. The Shank industry was held as a monopoly by an individual for the last few years. That monopoly comes to a close at the end of this year. Naturally it is expected something will be done with respect to this industry by the beginning of 1114. Perhaps the honourable members may not know much about the shank industry. I may say a few words about that. The shanks are a kind of sea animals which are living in the sea. They are collected by fishermen going far into the sea and diving at the place where they are existing. These are collected in large numbers, brought to the shore and kept for export. Calcutta is the only market for the shanks.

This is a monopoly, this is an industry, peculiar to Travancore, but this industry is carried on in Ceylon and Tuticorin. There are merchants both in Tuticorin as well as in Colombo, who are exporting a large number of shanks to Calcutta. Now, if this shank industry is thrown open to the public, it will shrink in volume to such an extent that all the trade will be in the hands of the Ceylon or Tuticorin people but if the shank industry in Travancore is entrusted to a few moneyed men of this country, I am sure, they would be able to carry on the industry in such a way as to bring a reasonable profit to Government. As I said these shanks when exported outside the border lines bring to the Government a royalty. Thus, the Government will get a reasonable profit if large number of shanks are sent out.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether he wants to make it a monopoly?

Mr. James Fletcher: Not entirely as a monopoly. The right to collect and sell may be given to a few private men. If it is thrown open to all, there will be such competition as will kill the trade. The market is only at Calcutta and the competitors are in various parts of India, namely, Ceylon and Tuticorin. The bigger merchants outside will be able to compete with traders in the Travancore shanks as to dwindle down our trade. Therefore the

Government, before they dispose of the contract for the shanks industry will do well to consult the public. After due consideration, the Governments may give the monopoly or take whatever action they think will be of advantage to Travancore.

Mr. T. K. Kitten (*Vaikam, Kottayam, and Changanacherry, cum Peermade*) : സർ, കൃഷിവകുപ്പിനു ആവശ്യപ്പെട്ടിരിക്കുന്ന പണം അനുവദിക്കേണ്ടതാണെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു. ഈ രാജ്യത്തിലെ കൃഷി അതിന്റെ പരമാവധിയിൽ എത്തിയിരിക്കുന്നു എന്നു വിദഗ്ദ്ധന്മാർ പറയുന്നു. ഇപ്പോൾ ഉണ്ടാകുന്നതിൽ കൂടുതൽ വിളവു ഉണ്ടാകുകയില്ലെന്നാണ് അവരുടെ അഭിപ്രായം. അങ്ങിനെയാണെങ്കിൽ ഇനിമേൽ ഇങ്ങനെ ഒരു ഡിപ്പാർട്ടുമെൻറിനെ സംരക്ഷിച്ചുപോരേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. കൃഷിയുടെ പരമാവധിയിൽ ഈ രാജ്യം എത്തിയിട്ടുണ്ടെങ്കിൽ ആ ഡിപ്പാർട്ടുമെൻറു അടുത്ത കൊല്ലം മുതൽ നിർത്തിക്കളയുകയാണു നല്ലതു്. തിരുവിതാംകൂറിൽ ഭൂമിയിലുള്ള വളം മുഴുവൻ നശിച്ചുപോയി എന്നു് മി: ടാംസൺ ഇവിടെ പറയുകയുണ്ടായി. ഇവിടെ ഭൂമിക്കു പരിഷ്കൃതജാതി വളം ഇടുന്ന പതിവു സാധാരണ വളരെ ചുരുക്കമാണ്. യൂറോപ്പിലെ പരിചയംവച്ചുകൊണ്ടു മി: ടാംസൺ ഇതെല്ലാം പറഞ്ഞതാണ്. ഭൂമിയിൽനിന്നും ആണ്ടുതോറും എന്തെങ്കിലും പിടുങ്ങി എടുക്കണമെന്നുള്ള ഉദ്ദേശം മാത്രമെ ഇവിടെയുള്ളവർക്കുള്ളു. ഡിപ്പാർട്ടുമെൻറിൽനിന്നും ലഘുലേഖകൾ വഴിയും വർത്തമാനപത്രങ്ങൾ മുഖേനയും മററും വലിയ പ്രചരണവേലകൾ നടത്തുന്നുണ്ടെങ്കിലും ജനങ്ങൾ വിളവിന്റെ വർദ്ധനവിനായി യാതൊരു വളവും ചെയ്യാറില്ല. ഇതു മറെറാന്നുകൊണ്ടുമല്ല, ചക്രമില്ലാത്ത ഒരു കുററംകൊണ്ടു മാത്രമാണ്. ജനങ്ങൾ ആകപ്പാടെ കഷ്ടപ്പെടുകയാണ്, ഒരു വലിയ സംഖ്യയ്ക്കാണ് ഇന്നവർ കടപ്പെട്ടുകിടക്കുന്നതു് അതുകൊണ്ടു, പുതിയ സമ്പ്രദായത്തിൽ കൃഷിചെയ്യുന്നതിനു വളം വാങ്ങിക്കുവാനുള്ള പണം ജനങ്ങൾക്കില്ല. കൃഷി ഡിപ്പാർട്ടുമെൻറു തുടർന്നുകൊണ്ടുപോകണമെന്നു ഗവൺമെൻറു നിർബന്ധിക്കുന്നു. ഒരു കൂട്ടർ കൃഷി അതിന്റെ പരമാവധിയിലായിപ്പോയി എന്നു് പറയുകയുംചെയ്യുന്നു. മനുഷ്യർ ഇതെല്ലാം സമ്മതിക്കേണ്ടിയും ഇരിക്കുന്നു. ഏതായാലും ഇപ്പോൾ തയാറാക്കിയിരിക്കുന്ന കണക്കുപ്രകാരമുള്ള പണം ഈയാണ്ടത്തേക്കു അനുവദിക്കേണ്ടതാണെന്നു ഞാനുംപറഞ്ഞുകൊള്ളുന്നു.

Mr. K. R. Narayana Aiyar: Sir, the debate on this demand has covered a very wide range. But the only satisfaction is that in contradistinction to what used to be in the previous years',

[Mr. K. R. Narayana Aiyar.]

the criticisms to a certain extent have been of a constructive nature. With the time at my disposal, I shall try to answer some of the charges that have been levelled against the department.

Mr. Easwara Pillai said that the department had not fully justified itself, particularily, the research section of it. I repudiate that charge. I invite the honourable member's attention to the large amount of work that has been done by the various sections of the research laboratory that is attached to the department and that is summarised in the Proceedings of the first meeting of the Board of Agriculture in Travancore. The soil surveys of Nanjinad and Kuttanad conducted with a view to improve the growth of paddy have yielded hopeful results. Similarly the paddy-growing tracts of Shertala and Vaikam taluks have been surveyed and the soils examined. These surveys include the results of the analyses of not less than a thousand samples. If the honourable member will go through those reports carefully he will find that the general manurial difficiencies of all these lands are given there. Exactly similar is the position with regard to entomology, mycology and economic botany. In all these fields a considerable amount of work has been done and the results have been of immense value. Commensurate with the men and resources placed at the disposal of the department, I should say that the results achieved have been fully satisfactory.

Mr. Easwara Pillai chararactised the department as a mere ornament and said that it has not cared for the agriculturists who is at fault? The department has done in the past and is doing now even with more vigour all that it can by way of research, demonstration and propaganda. But it is up to the honourable members to be the real propagandists on behalf of the department and to disseminate the knowledge which we give to their less fortunate brothren. There is a gulf to be bridged between the department and the public, and here it is that I want the co-operation of the honourable members who say that they represent the agricultural interests of the country.

Mr. G. Narayana Aiyar: Has anything been done to carry on collective farming?

Mr. K. R. Narayana Aiyar: As a matter of fact that is a problem which is now under the consideration of a sub-committee of the economic Development Board. I wish people will come forward and help us in consolidating their fragmented holdings and to carry on agriculture on co-operative lines.

The Government have fully realised the very pitiable plight in which the agriculturist has been placed now. To relieve him

of his indebtendness, they have recently initiated the Credit Bank, which will come into operation almost immediately. Loans on long and easy terms, which I suppose the agriculturists will really use for the purposes for which they are intended, will be advanced to the agriculturists. But unfortunately what we find to day is that most of these agricultural loans are utilised for making ornaments; for putting up bunglows and other malafide purposes.

As regards rural reconstruction, sir, in the nature of things, it is imposible for the Government to foist the scheme on the people. The initiative must come from the people themselves. If they come forward, the department will help them in every way.

Coming to my friend Mr. Govindan who advocates that a root which is now grown in the Philipines or East Indies should be introduced into Travancore, I am absolutely unaware of the existence of any such special root. If introduced into Travancore I will be the first person to oppose it. It is a starchy food and it is not necessary here where tapioca is already doing sufficient havoc to the health of the people. The peoples' health will deteriorate to a considerable extent on account of the introduction of another farinacious crop.

Sir, my honourable friend put forward a theory of breaking up the nitrogen in the air and putting it into tubes. The idea is fantastic. The atmosphere contains nitrogen and the simple way to extract it is by the cultivation of what is called the 'leguminous crops.' Ordinary green peas contain nodules which contain bacteria, capable of absorbing nitrogen and fixing it on to the soil.

Reference was made to the possibility of investigating deep sea fishing. This is a question which has already engaged the attention of the Government and the honourable members are aware that a well-qualified Marine Biologist has been appointed in the University and it will be one of his tasks to investigate how far the deep could be tapped as a source of wealth in the form of fish.

Next, regarding the observation which was made by Mr. Korah concerning coconut palm disease, I wish to say that this is a disease not peculiar to Travancore alone but it is prevalent through out the whole world wherever you have co-coanut palms. In the Dutch West Indies, in Ceylon in the East Indies, wherever you go, you find there this disease. The problem is, no doubt very serious. The Government do not for a moment think that it is very insignificant. As a matter of fact, they have fully realised the seriousness of the situation. As soon as this Government became a constituent of the Imperial Council of Agricultural Research, this matter was brought to their attention and a case was made out,

[Mr. K. R. Narayana Aiyar.]

The result, is as the honourable members are aware, the Imperial Council have sanctioned a sum of Rs. 25,500 for investigating the disease in all its varied aspects. I can say that the investigations that have been carried out so far (now) show that we could hold certain organims directly responsible for the causation of this disease. When once the disease is properly diagonsed, it would be easy to remdy it. It is expected that the investigation will yield hopful results.

Mr. Korah made certain observations regarding the peculiar conditions of the soil of Kuttanad, particularly, the backwater reclamation area. He said that the attention of the Government has not been directed to that area.........

Mr. K. M. Korah: I said that attention was not given to the extent to which it was desired.

Mr. K. R. Narayana Aiyar: I claim, Sir, that the department has paid considerable attention to Kuttanad. I believe it is now about 15 years since we conducted definite manurial experiments for Kuttanad and found out that the chief deficience's of the soil there are acidity and phosphate depletion. I am glad the honourable member stated that the people of Kuttanad have found out the advantage in applying lime, and are now increasingly making use of lime, as a soil ameliorant.

Sir, the main defect so far as Kuttanad is concerned is the pernicious practice of the agriculturists there, of letting into the field the intensely saline water soon after harvest. The department has issued several pamphlets and done a great deal of propaganda pointing out the evil effects of this practice. The saline water gets into the clayey soil, and the salts which are injurious to the crop stick on there. It is up to the honourable members hailing from Kuttanad to help the department in its propaganda work against this pernicious practice which, if unchecked, will ultimately render the soils more or less barren.

The Demand was then, put to vote and carried and the grant was made.

DEMAND XVII—INDUSTRIES DEPARTMENT INCLUDING THE CLAY REFINING AND THE PORCELAIN FACTORY.

Mr. C. Kumara Das: Sir, I rise to move for a grant not exceeding Rs. 4,52,989, under Demand XVII—Industries Department, including the Clay-refining and the Porcelain Factory.

Mr. M. Govindan: Sir, I support the demand. The salvation of Travancore, according to me, lies in the direction of industrialisation. Our population is increasing at a rate more rapid than in any other part of India, and now, for their food, they have to rely solely on agriculture. Agriculture, however successful, will not be able to support the entire population, considering the limited extent available for cultivation. Sir, artificial methods of duplicating earth's surface, with sufficient inter-space between the two surfaces for people freely to move about, have not proved a practical success, although, if achieved, that would be a remarkable engineering feat. The hanging gardens of Babylon have been the source of inspiration in this direction, but that is not practical politics yet. Therefore, the only resource will be in the field of industries, as in other parts of the world.

Sir, this process of industrialisation necessarily involves a series of experiments. Experiments necessarily involve failures, here and there. People who have not got sufficient foresight may make much of such failures and advise us that we should desist from further industrialisation. Sir, that is not statesmanship. What we want is that all our raw-products must be subjected to the process of manufacture of articles which will sell easily elsewhere and procure us good return in the shape of money. We all know that experiments have been made in this direction during recent years ; and we have had disappointments. Still, I think there is much hope in the direction of industrialisation. But, half-hearted measures will not serve any purpose. Our endeavour should be whole-hearted in the direction of the development of the resources of this country and improving our industries.

Sir, when I say this, it should not be understood that I am pleading for wholesale factory industries. No. Cottage industries have also to be developed. I am not a believer in mere machinery. Machinery must be supplemented by cottage industries. Mere cottage industries without large-scale production in big factories, would also not suffice since we would not be able to compete in the world market. Cottage industries are also necessary to provide employment for the people in the country ; after all, factories are rivals to human labour and can employ only a very limited number. With the inauguration of the Pallivasal Hydro-electric Scheme and the availability of cheap power throughout the State, I am sure cottage industries will develop. Cottage industries helped by cheap power would be a great asset to our country. It will enhance the prosperity of the people and increase their earning capacity.

[Mr. M. Govindan.]

Sir, since there are several industries which can with advantage be developed, I would recommend the appointment of a committee of experts to go into the question and chalk out the lines on which our resources have to be developed. And, our new University may serve to help the Government in that direction.

I should be failing in my duty, Sir, if, in this connection, I do not make special mention of the coir industry here. In fact, it is now lagging behind because it has no good market in foreign countries. Sir, the main reason for that is that all manner of tricks and devices are adopted by the middlemen and the exporters, in their own selfish interests, to increase the weight of coir goods manufactured and exported from the State. As a result of this kind of fraud on the part of the middlemen, even Anjengo coir, which is supposed to be the best, does not now fetch even half the price that it was fetching some time back. Sir, in business especially, what we want is integrity, character. It is therefore up to the middlemen not to resort to all manner of tricks and dupe the world for their own selfish interests.

With these words, I support the demand.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I also support the Demand. I wish to draw the attention of the Government to the fact that the usual grants allowed to weaving institutions are not now given. Evidently owing to financial stringency, that was stopped a few years ago. But, now that our finances are really sound, it is time the Government revive these grants. There are institutions in Onattukara, Shertala and other places which are doing very useful work. They have done creditable work in popularising the industry and in providing employment for hundreds of unemployed young men. It is therefore very necessary that the Government should recussitate at least the grants which they were giving till a few years back.

I also request the Government to concentrate their attention on the clay factory at Kundara. I am glad Government have made the assurance that even next year clay will be available for sale. My only anxiety is that the Government should not follow the policy which they pursued in the case of some other industrial concerns.

I would also draw the attention of the Government to instruct the expert at Kundara to train up some Travancoreas in the different aspects of the clay industry so that there may be Travancoreans available to take up the work if and when Government deem it necessary to send away the expert.

I am glad my honourable friend referred to the coir industry. I am sorry that he used language of exaggeration when he said that Travancore coir has no market now in foreign countries. It was also unjust on his part to have said that all the middlemen and the manufacturers and exporters practice fraud on foreign merchants. It is true that fraud was detected in certain cases; but it is certainly unjust to say that all middlemen and exporters resort to such tricks and commit fraud. As a matter of fact, 99 out of 100 follow honest methods. It is not their fault if the markets have gone worse. It is necessary that the Government should enact a measure to protect this industry, and eliminate all manner of fraud in the manufacture and export of coir and coir goods.

Mr. C. Kumara Das: Sir, I should like to enlighten Mr. Govindan and Mr. Balakrishnan Tampi, even within the few minutes at my disposal, on one or two points which they raised during their speeches.

Mr. Govindan deplored the fact of the increased population in the State and the consequent difficulty of the people to make a living out of agriculture alone. It is true that industries have to help the people out of this difficulty. Government have realised that fact, and whatever is possible is being done, and done speedily.

President: The time allotted for the voting of demands for grants has expired. I put to the vote of the House Demand XVII—Industries, including Clay Refining and Porcelain Factory—for Rs. 4,52,989.

The grant was made.

President: I put to the vote of the House Demand XVIII Commercial Transport—for Rs. 14,57,485.

The grant was made.

President: I put to the vote of the House Demand XIX—Co-operative Department—for Rs. 99,717.

The grant was made.

President: I put to the vote of the House Demand XX—Uplift of Backward Communities—for Rs. 34,406.

The grant was made.

President: I put to the vote of the House Demand XXI—Ayurveda—for Rs. 81,999.

The grant was made.

President: I put to the vote of the House Demand XXII—Forests—for Rs. 8,85,132.

The grant was made.

President: I put to the vote of the House Demand XXIII—Registration—for Rs. 3,31,147.

The grant was made.

President: I put to the vote of the House Demand XXIV—Stamps—for Rs. 61,587.

The grant was made.

President: I put to the vote of the House Demand XXV—Currency and Mint—for Rs. 35,349.

The grant was made.

President: I put to the vote of the House Demand XXVI—Ports—for Rs. 29,715.

The grant was made.

President: I put to the vote of the House Demand XXVII—Jails—for Rs. 1,20,554.

The grant was made.

President: I put to the vote of the House Demand XXVIII—State Charities—for Rs. 9,641.

The grant was made.

President: I put to the vote of the House Demand XXIX—Stationery and Printing—for Rs. 2,52,320.

The grant was made.

President: I put to the vote of the House Demand XXX—Scientific and Miscellaneous Departments—for Rs. 87,341.

The grant was made.

President: I put to the vote of the House Demand XXXI—Miscellaneous Charges—for Rs. 94,585.

The grant was made.

President: I put to the vote of the House Demand XXXII—Anchal Department—for Rs. 4,06,644.

The grant was made.

President: I put to the vote of the House Demand XXXIII—State Land Mortgage Bank—for Rs. 1,200.

The grant was made.

President: I put to the vote of the House Demand XXXIV—Capital Expenditure not charged to Revenue Railways—for Rs. 29,744.

The grant was made.

President: I put to the vote of the House Demand XXXV—Loans—Agricultural Loans—for Rs. 1,00,000.

The grant was made.

President: I put to the vote of the House Demand XXXVI—Loans—Industrial Loans—for Rs. 10,000.

The grant was made.

President: I put to the vote of the House Demand XXXVII—Loans—Other Loans and Advances—for Rs. 67,400

The grant was made.

President: I put to the vote of the House Demand XXXVIII—Loan to the Port Conservancy Board, Cochin, for Harbour Works, etc.—for Rs. 9,16,000

The grant was made.

President: I put to the vote of the House Demand XXXIX—Debt Head—Advances—for Rs. 88,300.

The grant was made.

President: I put to the vote of the House Demand XL—Debt Head—Coinage Account, for Rs. 1,20,000.

The grant was made.

President: The Budget discussion is now over. But I may mention that on account of the decision taken with the concurrence of the House this morning, there will be no sitting of this House on Thursday. But there will be sittings of the House on Friday, Saturday and Monday. Judging from the number of amendments received, I do not think that the official business will take beyond a day and a half at the most. I therefore propose to fix the non-official day on Monday the 22nd, so as to enable the honourable members to finish the non-official business that day itself, hoping that the official business will be over by Saturday and then we can disperse on Monday. That will be the programme.

The House will now adjourn.

The House adjourned at 5·4 p. m.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS

of the

TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

THIRD SESSION.

Friday, the 19th August, 1938/3rd Chingam, 1114

(OFFICIAL REPORT)

Vol. XII—No. 7.

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PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(OFFICIAL REPORT)

SECOND COUNCIL.

THIRD SESSION.

VOLUME XII—NUMBER 7.

THIRD SESSION 1938/1113-1114.

Friday, the 19th August 1938/3rd Chingam 1114.

The Council met again in the Victoria Jubilee Town Hall at Eleven of the Clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., the Dewan-President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls:

1. Mr. A. Gopala Menon, M. A., B. Com. (*Ag. Director of Public Instruction*).
2. Mr. R. Krishnaswami Rao, B. A., B. L., (*Ag. Secretary to Government*).
3. Mr. K. Madhava Kurup, M. A., (*Ag. Director of Registration*).

QUESTIONS AND ANSWERS.

Appointments in the clerical staff of the Transport Department.

64. ***Mr. T. Muhammed Ismail** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of appointments made in the clerical staff of the State Transport Department?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*): The Transport Department is conducted on a commercial basis without advertence to the rules in respect of recruitments to the public service and the question of appointments according to communities does not therefore arise.

Burglary and theft in Miss Annie Mascreen's house.

65. ***Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether there was recently a burglary into and theft in the residence at Trivandrum of Vakil Miss Anni Mascreen, M. A., B. L ;

(*b*) whether any enquiry has been made into it ; and

(*c* whether any discovery has been made as the result of the enquiry ?

Mr. M. Ramachandra Rao (*Ag. Commissioner of Police*):

(*a*) Yes.

(*b*) and (*c*) On receipt of information of the same a case was registered. The matter is still under investigation.

Mr. N. V. Chacko: May I know whether, during the last five years, a similar burglary has been committed in any other lady's house ?

Mr. M. Ramachandra Rao: I claim notice.

Mr. N. V. Chacko: Is not Miss Mascreen a member of the Travancore State Congress ?

Mr. M. Ramachandra Rao: I claim notice.

***Mr. Nedumangad R. Kesavan Nair** (*Trivandrum and Nedumangad* cum *Chirayinkil*): May I know whether Miss Mascrene offered to give evidence which might be helpful in the detection of the culprits ?

Mr. M. Ramachandra Rao: I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know whether, subsequent to the burglary, she sent a petition to the Commissioner of Police complaining that her nephew was assaulted on the highroad ?

Mr. M. Ramachandra Rao: I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Commissioner sent a letter to Miss Mascreen threatening her with criminal prosecution ?

Mr. M. Ramachandra Rao: I claim notice.

Scheme for improvement of paddy cultivation in Kunnatnad, Muvattupuzha and Parur.

66. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether they have any plan or scheme for protecting and improving the paddy cultivation of the taluks of Kunnatnad, Muvattupuzha and Parur ; and

(*b*) if so, what those plans or schemes are?

Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*): (*a*) and (*b*) The Agricultural Department will continue to carry on in the taluks of Kunnatnad, Muvattupuzha and Parur. as elsewhere, propaganda to popularise improved methods of paddy cultivation.

Mr. N. V. Chacko: May I know whether any such propaganda is now being carried on?

Mr. K. R. Narayana Aiyar: Yes, Sir.

Drivers appointed in the Transport Department.

67. ***Mr. T. Muhammed Ismail**: Will the Government be pleased to state the number, by caste, of drivers appointed in the State Transport Department?

Mr. M. Govinda Pillai: The Transport Department is conducted on a commercial basis without advertence to the rules in respect of recruitments to the public service and the question of appointments according to communities does not therefore arise.

Conciliation applications.

68. ***Mr. R. V. Thomas** (*Thodupuzha* cum *Minachil*): Will the Government be pleased to state:

(*a*) the total number of conciliation applications filed before the several Conciliation Boards in Travancore up to the 15th Mithunam 1113;

(*b*) the total number of applications conciliated by agreement between parties;

(*c*) the total number in which certificates were issued;

(*d*) the total number of applications dismissed for default;

(*e*) the total number of cases in which the maximum time was granted—

(i) in cases where the parties agreed; and

(ii) in cases where certificates were issued;

(*f*) the number of cases in which the actual principal amounts were scaled down—

(i) where parties agreed; and

(ii) where certificates were issued; and

(*g*) the total number of applications field before the Palai Conciliation Board?

Mr. M. Govinda Pillai: A *statement furnishing the required information is laid on the table.

* *Vide* Appendix I—Page 502.

Duties of the reserve police stationed at Ramamangalam.

69. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) the duties of the reserve police who are being, or were till recently, stationed at Ramamangalam in the Muvattupuzha taluk;

(*b*) how their duties differ from the duties of the ordinary police who have jurisdiction over the places over which the reserve police also are given jurisdiction; and

(*c*) whether the jurisdictions are concurrent in any respect?

Mr. M. Ramachandra Rao: (*a*) Prevention and detection of smuggling of dutiable articles.

(*b*) The ordinary Police are primarily concerned with the maintenance of peace and order and prevention and detection of crime; while the Reserve Police are specially deputed for the prevention and detection of smuggling of dutiable articles at the frontier and its suburbs.

(*c*) Yes; in the matter of maintaining peace and order.

Mr. N. V. Chacko: May I know whether, where there is no question of smuggling, the Reserve Police are in any way entitled to interfere with the public?

Mr. M. Ramachandra Rao: No. Sir.

Compensation grant to the management schools.

70. ***Mr. James Fletcher** (*Kalkulam and Vilavankod* cum *Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether the Director of Public Instruction has issued a circular in 1935 promising to compensate the management schools for the loss they would sustain by reduction of school fee in English and Vernacular Schools on condition that the management schools do not reduce the salary of the teachers working in their schools;

(*b*) whether the management schools complied with the conditions prescribed in the above circular and then applied for the promised compensation for the year 1110—1111, 1111—1112 and 1112—1113; and

(*c*) why the Director of Public Instruction has not paid the said compensation grants to the management schools in spite of the fact that there was budget provision in the last three years and that the Legislature voted in favour of the provision during the last years?

Mr. A. Gopala Menon :(*a*) Yes ; circulars were issued to the Chief Inspecting Officers.

(*b*) Yes.

(*c*) No compensation was paid after 1110 as funds were not available to the extent required and as the managements were aware of the reduction in fee sufficiently early and could provide resources to meet the deficit.

Defects in the methods of paddy cultivation in Kunnatnad, Muvattupuzha and Parur.

71. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether the Department of Agricultural has discovered any defect in the methods of paddy cultivation now prevailing in the taluks of Kunnatnad, Muvattupuzha and Parur ;

(*b*) if so, what those defects are; and

(*c*) how those defects can be removed ?

Mr. K. R. Narayana Aiyar: (*a*) Yes.

(*b*) Inefficient ploughing of the soil, insufficient application of manures, inattention to the selection of seeds and indifference on the part of agriculturists in renovating the impoverished condition of their lands.

(*c*) The defects can be removed by the use of improved iron ploughs suitable for different types of soils, judicious application of suitable manure mixtures, selection of high yielding seeds and by the adoption of a proper scheme of rotation of crops.

Mr. N. V. Chacko: May I ask whether those defects in the cultivation are due to the ignorance of the agriculturists of their inability ?

Mr. K. R. Narayana Aiyar: Both.

Grant-in-aid English Schools.

72. * **Mr. N. V. Chacko**: Will the Government be pleased to lay on the table a statement showing:

(*a*) the names of all the grant-in-aid English middle and high schools for boys and for girls in the State ;

(*b*) the amount of grant given to each of the grant-in-aid schools referred to in (*a*) during the year 1111–1112;

(*c*) the excess of expenditure over the income in each of such schools during 1111—1112;

(*d*) the amount of grant sanctioned to each of such schools for the year 1112—1113;

[Mr. N. V. Chacko,]

(e) the deficit in each of such schools during the year 1112-1113;

(f) the principle on which grant is sanctioned and given to grant-in-aid English middle schools and high schools for boys and for girls ;

(g) whether this principle is strictly adhered to in the case of every school receiving grant from the Government; and

(h) if not, whether there is any method in the variations from the principle for sanctioning grants to schools ?

Mr. A. Gopala Menon : (a), (b), (c), (d) & (e). A * statement furnishing the information is placed on the table.

(f) The member is referred to Rule 147 (b) of the Education Code. Ordinarily, subject to the availability of funds, grant-in-aid is sanctioned to the extent of one-third of the allowable deficit in the case of English schools for boys and one-half the allowable deficit in the case of English schools for girls. Total strength, general efficiency and other factors that contribute to the proper working of the institutions are also taken into consideration in awarding grant.

(g) Yes; subject to availability of funds.

(h) This does not arise in view of the answer to part (g) above.

Mr. N. V. Chacko : May I know where I can get a copy of the Education Code ?

Mr. A. Gopala Menon : It can be purchased at the Government Press, if copies are available there.

Services rendered to the agriculturists by the Agricultural Department during 1112-1113.

73. ***Mr. N. V. Chacko :** Will the Government be pleased to state :

(a) whether any benefit has been rendered by the Department of Agriculture to the agriculturists of Travancore during Edavam 1112 to Edavam 1113; and

(b) whether any improvement has been effected in agriculture during the period from Edavam 1112 to Edavam 1113 as a result of the invention, discovery or advice or instruction of the Department of Agriculture ?

Mr. K. R. Narayana Aiyar : (a) Yes.

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* *Vide* Appendix II--Pages, 503—507

(b) The improvements effected in agriculture during the period cited will depend upon the extent to which agriculturists have adopted the scientific methods advocated by the department.

Distribution of fee concession grants.

74. ***Mr. K. K. Kuruvilla** (*Mavelikara and Tiruvalla cum Pattanamtitta*): Will the Government be pleased to give the amount of fee concession grants spent on pupils last year under the following heads :

(a) vernacular schools;
(b) English schools;
(c) forward class pupils;
(d) backward class pupils;
(e) Cheramar and Sambavar pupils (Hindus); and
(f) Cheramar and Sambavar pupils (Christians) ?

Mr. A. Gopala Menon :

	Rs.	Chs.	C.
(a) Vernacular Schools	9,720	19	11
(b) English Schools	1,07,587	18	2
(c) Forward class pupils	65,040	4	5
(d) Backward class pupils	90,426	9	11
(e) Cheramar and Sambavar pupils (Hindus)	10,203	16	14
(f) Cheramar and Sambavar pupils (Christians)	42,332	27	15

Mr. Padiyara Joseph Kunju (*Nominated*): സംയുക്ത പാർട്ടിയിലുൾപ്പെട്ട ക്രിസ്ത്യാനികളുടെയിടയിൽ മതപരമായ വ്യത്യാസമല്ലാതെ.........

Mr. Nedumangad R. Kesavan Nair : On a point of order, Sir. Can a member make a statement during question time?

President : No.

Mr. Padiyara Joseph Kunju : I want to ask a supplementary question, Sir.

President : You can put supplementary questions only to the Government and not to the member who has sent up the interpellation.

Mr. Padiyara Joseph Kunju : I am asking only the official member, Sir.

President : The honourable member will put his supplementary question.

Mr. Padiyara Joseph Kunju : സംയുക്തപാർട്ടിയിലുൾപ്പെട്ട ക്രിസ്ത്യാനികളുടെയിടയിൽ മതപരമായ വിഭാഗങ്ങൾ ഉണ്ടെന്നല്ലാതെ ജാതിപരമായൊ സവർണ്ണാവർണ്ണഭേദമോ ഇല്ലെന്നു വാദിച്ചിരുന്നതായി അറിയാമോ?

Mr. A. Gopala Menon: അതിനെപ്പറ്റി അറിവില്ല.

Mr. Padiyara Joseph Kunju: അതിനെപ്പറ്റി പാർലമെൻറിൽ ചോദ്യോത്തരങ്ങൾ ഉണ്ടായിട്ടുള്ളതായി അറിയാമോ?

Mr. A. Gopala Menon: അങ്ങനെ ഉണ്ടായതായി കേട്ടു.

Mr. Padiyara Joseph Kunju: ഗവൺമെൻറിനെ പ്രതിനിധീകരിച്ചുകൊണ്ടാണോ മെമ്പർ ഇങ്ങനെ പറയുന്നതു്?

Mr. A. Gopala Menon: എപ്പോഴും അങ്ങിനെയാണു സംസാരിക്കുന്നതു്.

Mr. Padiyara Joseph Kunju: അങ്ങനെയാണെങ്കിൽ അതിനെപ്പറ്റി കേട്ടു എന്നു പറഞ്ഞതിൻെറ അർത്ഥമെന്താണു്?

Mr. A. Gopala Menon: അതിനെപ്പറ്റി കേട്ടു എന്നേയുള്ളു.

Mr. Padiyara Joseph Kunju: അതിനെപ്പറ്റി വല്ല പരാതികളോ അപേക്ഷകളോ വന്നിട്ടുള്ളതായി അറിയാമോ?

Mr. A. Gopala Menon: ആ ചോദ്യം ഈ വകുപ്പിൽ ഉൾപ്പെടുന്നില്ല.

Mr. Padiyara Joseph Kunju: അതിനെപ്പറ്റി വല്ല പരാതിയും വന്നിട്ടുള്ളതായി അറിയാമോ?

Mr. A. Gopala Menon: അങ്ങനെ ഉണ്ടായിരിക്കാം.

Mr. Padiyara Joseph Kunju: ഇങ്ങനെ അധഃകൃതവർഗ്ഗക്കാരുടെയിടയിൽ ക്രിസ്ത്യാനികളെന്നും ഹിന്ദുക്കളെന്നും ഉള്ള ഭേദമില്ലെന്നു എങ്ങനെ പറയാം?

Mr. A. Gopala Menon: ചോദ്യം ചോദിക്കുന്ന മെമ്പർക്കു തന്നെ അതിനെപ്പറ്റി നിശ്ചയമുണ്ടായിരിക്കും.

Police jurisdiction over Aikkaranad and Chemmanad pakuthies.

75. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(*a*) when the Aikkaranad and Chemmanad pakuthies in the Kunnatnad taluk were placed under the Edapally Police Station;

(*b*) what reasons induced the Government to transfer the police jurisdiction over these two pakuthies to the Edapally Police Station;

(*c*) under which Police Station these two pakuthies were placed till recently; and for how long and from what year to what year; and

(*d*) which Police Station had jurisdiction over these two pakuthies until it was transferred to the Perumpavur Police Station, and from what year to what year?

Mr. M. Ramachandra Rao: (*a*) From the afternoon of 30-9-1113,

The reasons are:—

(i) The jurisdiction of the Perumpavur Police Station was very extensive and it comprised 14 pakuthies, whereas the Edapally Station had only 3 pakuthies. The work in the Perumpavur Police Station was therefore comparatively very heavy.

(ii) Crimes at Perumpavur were normally one hundred a year while at Edapally they were only about 30.

(iii) The two pakuthies transferred are nearer to Edapally than to Perumpavur and they can be more conveniently visited by the Inspector of Police, Edapally, than by the Inspector of Police, Perumpavur.

(iv) There were three outposts attached to the Perumpavur Police Station whereas Edapally had none. The transfer of the two pakuthies involved the transfer of the Mamala outpost also to the Edapally Station.

(*c*) These two pakuthies were under the jurisdiction of Perumpavur Police Station till 30-9-1113.

(*d*) These two pakuthies were under the jurisdiction of the Mamala Police Station before it was converted into an outpost in the year 1922 and attached to the Perumpavur Police Station.

Mr. N. V. Chacko: May I know whether Edapally is not in the Parur taluk?

Mr. M. Ramachandra Rao: I claim notice.

Mr. N. V. Chacko: May I know whether vehicles from Ayikkaranad do not pass through several Cochin Police Stations before they reach the Edapally Police Station?

Mr. M. Ramachandra Rao: I claim notice.

Mr. N. V. Chacko: Is there a hospital near the Edapally Police Station?

Mr. M. Ramachandra Rao: I claim notice.

Mr. N. V. Chacko: Will not the Alwaye Police Station be more convenient for the people of Ayikkaranad?

Mr. M. Ramachandra Rao: I claim notice,

Appendix I.

Vide Answer to Question No. 68.

Statement regarding conciliation applications.

Name of Boards.	Total No. of conciliation applications filed up to 15th Mithunam 1113.	Total No. of applications conciliated by agreements between parties.	Total No. in which certificates were issued.	Total No. of applications dismissed for default.	Total No. of cases in which the maximum time was granted.		No. of cases in which the actual principal amounts were scaled down.		Total No. of applications filed before the Palai Conciliation Board up to 12-12-1113.
					In cases where parties agreed.	In cases where certificates issued.	Where parties agreed.	Where certificates issued.	
Kottayam .	181	8	8	65	8	8	..	..	..
Nagercoil .	498	13	21	303	13	21	13	21	..
Trivandrum .	244	6	30	81	6	25	2	5	...
Quilon .	428	100	2	144	60	1	6	..	..
Thiruvella .	676	33	16	266	29	12	..	...	...
Alleppey .	357	21	51	119	1	..	3	5	..
Palai .	335	5	2	98	..	..	..	..	395
Alwaye .	164	4	30	32	1	4	..	..	..
Total .	2883	190	160	1108	118	71	24	31	395

Appendix U.

***Vide* Answer to Question No. 72.**

Statement of grant to English Schools (1112 & 1113).

Serial No.	Name of School.	1111—1112 Grant sanctioned Rs.	1111—1112 Allowable Deficit Rs.	1112—1113 Grant sanctioned Rs.	1112—1113 Allowable Deficit Rs.	Remarks.
	Boys Schools, Trivandrum Division.					
1	Carmel E. H. School, Ramanputhur	100	346	No allowable	deficit	
2	St. Joseph's E. H. School, Trivandrum	344	1,033	500	1,298	
3	St. Antony's E. M. S. Cape Comorin	100	304	100	326	
4	M. T. E. M. School, Valakom, Kottarakara	146	439	100	1,105	Poor strength—Salaries paid not proportionate.
	Quilon Division.					
1	Pandalam N. S. S English High School	40	122	No allowau	able deficit	
2	Prakkulam Do. Do.	500	1,505	500	1,692	
3	Pulinkunnu St. Joseph's E. H. School	60	279	No allowable	deficit	
4	Quilon St. Aloysius E. H. School	472	1,417	300	1,028	
5	Champakulam S. H. E. M. School	134	403	130	763	Poor strength. More trained teachers necessary.
6	East Kallada Do.	100	549	75	316	
7	Kainakarai St. Mary's Do.	101	303	100	631	Strength should improve.
8	Kattanam C. M. S. Do.	128	388	100	439	Appliances not adequate.
9	Kavalam N. S. S. Do.	71	215	No Grant	...	Strength not encouraging. Only one trained hand.
10	Panappattil Do.	100	621	40	120	
11	Pathanapuram St. Stephen's E. H. School	140	408	50	156	
12	Pattazhi St. Paul's E. M. S. School	Did not	apply	75	251	
13	Puthiavila Do.	130	402	50	134	
14	Thalavady C. M. S. Do.	20	83	No deficit	practically	Strength poor, equipment not satisfactory.
15	Thevalakkara Do.	90	545	45	139	
16	Thumpamon M. G. Do.	69	209	No allowable	deficit.	
17	South Puthuppally C. M. S. English Middle School	Did not	apply	40	136	

APPENDIX II—(*contd.*)

Serial No.	Name of School		1112—1112 Grants sanctioned Rs.	1112—1112 Allowable, Deficit Rs.	1111—1113 Grant sanctioned. Rs.	1111—1113 Allowable, Deficit Rs.	Remarks.
	Thiruvella Division.						
1	Karukachal N. S. S. English High School		280	841	49	148	
2	Mannar N. S. English High School		Did not	apply	224	613	
3	Chirakkadavu Sanathanam English Middle School		Do.	Do.	50	158	
4	Kaduthuruthy St. Michael's	Do.	95	285	58	172	
5	Kaviyoor N. S. S.	Do.	100	273	90	249	
6	Konni N. S. S.	Do.	77	231	No allowable	deficit	
7	Kurumpanadam St. Peters	Do.	50	212	Deferred till certain teachers apply for license		
8	Kuzhikkala C. M. S.	Do.	60	300	Did not	apply	
9	Maramon M. M. A.	Do.	72	216	100	465	
10	Mepral St. John's	Do.	48	145	No allowable	deficit	Strength should improve.
11	Nedungadapelly C. M. S.	Do.	66	199	Did not	apply	
12	Niranom St. Mary's	Do.	85	256	Do.		
13	Punnaveli C. M. S.	Do.	54	162	Do.		
14	Thykattusserry S. M. S. J.	Do.	300	897	300	1,0[illegible]	
15	Valiakunnom St. Mary's	Do.	Efficiency low.	Strength poor	64	192	
16	Arathinkal St. Francis Assisi	Do.	240	1,091	169	508	
17	Kunnanthanam N. S. S.	Do.	No allowable	defict	30	94	
18	Manimala St. George's	Do.	50	150	No allowable	deficit	
19	Vaipur N. S. S.	Do.	24	71	Do.		Equipment not satisfactory.
20	Valankara	Do.	100	481	90	295	
21	Edayaranmula	Do.	54	162	..	..	Staff not adequate.
22	Kannankara St. Mathews	Do.	44	133	89	267	
	Muvattupuzha Division.						
	Kottayam S. H. M. English High School		400	1,850	133	401	
	Moothakunnom S. N. M.	Do.	250	426	250	794	
	Munnar	Do.	2,000	6,625	2,100	6,472	

APPENDIX II (*contd.*)

Muvattupuzha Division—(*contd.*)

Serial No.	Name of schools.	1111—1112 Grant sanctioned Rs.	1111—1112 Allowable Deficit. Rs.	1112—1113 Grant sanctioned. Rs.	1112—1113 Allowable Deficit Rs.	Remarks.
4	Ankamali, St. Joseph's English High School	170	495	170	724	Low strength.
5	Chingsvanam St. Thomas Do.	52	265	50	118	
6	Elanji St. Peters' Do.	..	..	100	371	Financial register not properly maintained.
7	Elamkulam E. V. Do.	160	483	No allowable deficit		
8	Kaipuzha St. George's English Middle School	Deficit too small		180	621	Records not maintained properly.
9	Kadanad St. Sabastian's Do.	Do.		60	168	
10	Keezhillam St. Thomas Do.	200	673	95	255	
11	Kizhakampalam Do.	100	426	100	545	Staff inadequate.
12	Kolencherry St. Peter's Do.	90	357	60	194	No trained teachers.
13	Kottappuram Do.	180	635	140	494	Strength not satisfactory.
14	Kuruppampadi M. G. M. Do.	105	316	105	335	
15	Mutholy St. Antony's Do.	150	809	72	248	Strength poor, staff not adequate.
16	Nanthiatiukunnam Do.	250	1,645	250	1,664	Trained teachers not enough.
17	Parakkadavu N. S. S. Do.	75	360	80	285	Strength not encouraging. Staff not adequate.
18	Piravom M. K. M. Do.	75	327	75	256	No trained teacher on the staff. Efficiency poor.
19	Ramapuram St. Augustine's E. H. S.	220	717	60	211	Strength low.
20	Vadakkekara St. Peter's E. M. S.	20	63	No allowable deficit		
21	Vazhakkulam Infant Jesus E. H. S.	48	144	48	149	
22	Thundanganad St. Thomas E. M. S.	Did not apply		150	452	

APPENDIX II—(*contd.*)

Serial No.	Name of School.	1111—1112		1112—1113		Remarks
		Grant sanctioned Rs.	Allowable Deficit Rs.	Grant sanctioned Rs.	Allowable Deficit. Rs.	
	Girls' Schools.					
1	Alwaye Christava Mahilalayam E. H. S. for Girls	1,600	3,610	1,000	2,031	
2	Alleppey St. Joseph's Do.	900	1,770	600	1,548	More trained teachers necessary
3	Athirampuzha St. Mary's Do.	1,500	3,299	1,000	2,300	Unsteady staff.
4	Changanacherry St. Joseph's Do.	1,750	3,503	1,750	4,336	
5	Kottayam B. M. Do.	2,500	4,547	2,500	4,992	
6	Kottayam St. Anne's Do.	700	677	600	1,216	
7	Nagercoil Duthie Do.	1,450	2,900	800	2,395	Deficit includes leave allowance to teachers.
8	Do. St. Joseph's Do.	2,500	5,812	2,000	4,879	
9	Nangiarkulam Bethany Balikamadom Do.	600	1,606	700	2,260	Strength poor. Staff inexperienced
10	Palai St. Mary's E. H. S. for girls	850	1,904	850	3,000	Strength in some of the classes should improve.
11	Parur St. Aloysius Do.	1,200	4,329	1,200	3,819	Strength not encouraging.
12	Quilon St. Joseph's Do.	1,200	2,018	1,200	3,171	Frequent changes in staff.
13	Thiruvella Balikamadom Do.	2,300	5,440	2,300	5,389	Strength not satisfactory.
14	Do. Nicholson Syrian E. H. S.	2,000	4,271	1,700	3,206	
15	Trivandrum Holy Angels' Do.	3,000	6,279	2,000	4,680	Maintenance of records required greater attention.
16	Verapoly St. Joseph's Do.	600	3,829	700	3,325	Very poor strength, inadequate staff, poor in efficiency.
17	Alwaye St. Francis E. M. S. for girls	460	716	200	401	

Serial No.	Name of Schools.		1111—1112 Grant sanctioned. Rs.	1111—1112 Allowable Deficit Rs.	1112—1113 Grant sanctioned. Rs.	1112—1113 Allowable Deficit Rs.	Remarks.
	Girls' Schools—(*contd.*)						
18	Anaprampal M. T.	Do.	500	1,030	500	993	
19	Bharananganam Sacred Hearts'	Do.	90	238	100	424	Strength poor. Staff not adequate. Account not satisfactory.
20	Eraviperur St. Mary's E. M. School for girls		150	296	150	338	Strength should improve.
21	Kainakari Holy Family E. M. School for girls		450	1,330	450	1,315	
22	Kanjikuzhi Mt. Carmel	Do.	250	808	200	636	
23	Kanjirapally St. Mary's	Do.	260	521	260	525	
24	Karukutty St. Joseph's	Do.	500	1,851	500	1,944	Poor strength. Inadequate staff.
25	Kothamangalam St. Augustines'	Do.	200	907	200	1,042	Poor strength. Do
26	Kottarakara M. T.	Do.	100	753	No grant		Do. Do.
27	Kuravilangad St. Mary's	Do.	400	941	400	838	
28	Muttam St. Mary's (Shertala)	Do.	300	726	340	683	
29	Neyyattinkara St. Thrasia's	Do.	450	1,062	400	764	
30	Pallam Bushanan Institution	Do.	250	358	250	512	
31	Parur Vidyavilasini	Do.	800	1,756	900	1,925	
32	Poojappura Mahilamandiram	Do.	300	670	300	617	Do. Do.
33	Pulinkunnu L. F.	Do.	450	1 851	450	1,339	Strength poor. No trained teachers on the staff.
34	Trivandrum St. Roch's	Do.	700	1,475	700	1,204	
35	Vaikom Little Thresias	Do.	250	652	250	407	Poor strength. Staff not satisfactory.
36	Quilon Malayali Sabha	Do.	No	deficit	100	248	Poor strength. Equipment not adequate.
37	Vadakara Little Flower	Do.	300	1,351	300	941	More trained teachers required.

NOTICE OF ADJOURNMENT MOTION.

President: I have received notice of the following adjournment motion from Mr. Nedumangad R. Kesavan Nair:

"To discuss a definite matter of urgent public importance, namely, the serious situation created by the order issued by the Trivandrum District Magistrate prohibiting Srimati Kamala Devi an All-India Leader and President elect of the All Travancore Youth Conference from addressing public meetings in the Trivandrum District for a period of 15 days on the ground that she is a member of the All-India Socialist party and on other grounds."

Under Rule 24 of the Legislative Rules on the ground that this motion cannot be discussed without detriment to public interests, I disallow it.

ELECTION TO THE PUBLIC ACCOUNTS COMMITTEE.

President: I have to announce the result of the election held on the 15th August 1938. Mr. R. V. Thomas got 16 votes, and Mr. G. Narayana Aiyar 10 votes.

Mr. R. V. Thomas is declared elected.

ELECTION TO THE STANDING FINANCE COMMITTEE.

President: In the election that took place on the 15th August 1938, Mr. A. Easwara Pillai got 16 votes, and Mr. Mahomed Ismail 10 votes. Mr. Easwara Pillai is declared elected.

LEGISLATIVE BUSINESS.

THE TRIVANDRUM CITY MUNICIPAL BILL.

Mr. Puthupalli S. Krishna Pillai (*Legal Remembrancer*): I beg to move that Sahib Bahadur Hajee Hassan Yakub Sait be nominated a member of the Joint Committee in the place of Mr. M. Abdur Rahiman Sahib.

Mr. K. Madhava Kurup: I second it.

THE TRAVANCORE TRADE DISPUTES BILL.

The motion was put to vote and carried.

Mr. Puthupalli S. Krishna Pillai: Sir, during the course of the discussion on the Travancore Trade Disputes Bill, on a motion that the further consideration of the Bill be postponed, it was postponed; and it has now come up again for consideration by the House. I move that the further consideration of the Bill be now proceeded with.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

Clause 1.

The question that Clause 1 do form part of the Bill was put to vote and carried.

The Clause was added to the Bill.

Clause 2.

Mr. P. N. Krishna Pillai (*Co-opted*): Sir, I have sent up an amendment to Clause 2.

Mr. Puthupalli S. Krishna Pillai: The honourable member seems to refer to an amendment of which he had given notice several months back. It has now lapsed under the Standing orders ; and no fresh notice has been given.

Mr. P. N. Krishna Pillai: I thought the amendment would not lapse, and so did not give fresh notice of it.

President: *Ignoratio legis neminum excusat.* In other words, ignorance of law is no excuse.

The question that Clause 2 do form part of the Bill was put to vote and carried.

The Clause was added to the Bill.

Clause 3.

The question that Clause 3 do form part of the Bill was put to vote and carried.

The Clause was added to the Bill.

Clause 4.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnathur*): Sir, I object to the first amendment, in the list of amendments, proposed to Clause 4 of the Bill. Under Standing Order No. 43, notice of 6 clear days shall be given in respect of amendments. Notice of this amendment has been given only on the 13th of August. Standing Order No. 43 (paragraph 100 of the Manual) lays down:

> "If notice of a proposed amendment has not been given to the Secretary 6 clear days before the sitting of the Council at which the Bill is to be considered, any member may object to the moving of the amendment and such objection shall prevail............"

Therefore, I object to this amendment being taken up for consideration.

President: What has the honourable member got to say on this ?

Mr. P. N. Krishna Pillai: In the letter forwarding my amendments I have stated that I was laid up and that therefore I was able to send those amendments only a day later. In view of that reason, I pray that the House may be pleased to excuse the delay of only one day.

President: In this case, I would normally have exercised my discretion in favour of moving the amendments. But the position both in regard to the Trade Disputes Bill and the Factories Bill is that the matter has been considered elsewhere at great length and if honourable members have to move amendments again, a piece of legislation very much in the interest of the labouring population of the country will be delayed from coming into operation certainly for about six months, probably for a longer time. All things considered, I think it is my duty to see that the provisions of the Rule are strictly complied with and the amendments will not be considered. I hope that no other honourable member has sent in any amendment.

Clauses 4 to 19.

The question that Clauses 4 to 19 do stand part of the Bill was put and carried and the clauses were added to the Bill.

Preamble.

The question that the Preamble do stand part of the Bill was put and carried and the Preamble was added to the Bill.

Title.

The question that the Title do stand part of the Bill was put and carried and the Title was added to the Bill.

Mr. Puthupalli S. Krishna Pillai: Sir, I beg to move that the Trade Disputes Bill be passed.

Mr. K. Madhava Kurup: I second it.

Mr. P. N. Krishna Pillai: I oppose it. Sir, Even when this Bill was under consideration, I had occasion to express the apprehensions of labour with regard to this piece of legislation which is capable of much mischief at the hands of this Government. Sir, though due to some technical error I was not able to move all my amendments and bring home to this House the pernicious character of the Bill, I submit that the Bill as a whole as passed by this House is quite unacceptable so far as labour is concerned. Sir, after we discussed the Bill on the last occasion, I have had opportunities to know the views of labour on this question. All the labour organisations in this country have expressed a view definitely against this piece of legislation. Sir, it is not only an unnecessary and michievous piece of legislation, but it is capable of gross abuse in the hands of Government which is unsympathetic towards labour interests. Sir, I have made it plain that labourers in this country do not want such a piece of legislation. When this same Bill was introduced in a former session of the Assembly, Mr. K. C. Karunakaran representing the interests of employers said that it was an unwanted piece of legislation. The employers do not want

such a piece of legislation. The labourers also do not want such a piece of legislation. The public nowhere has demanded such a piece of legislation.

Mr. Kottur Kunjukrishna Pillai: On a point of order, Sir. The motion before the House is that the Bill be passed. I want to know whether the question of the necessity or otherwise of the Bill on the merits is in order, and whether the question as to whether the third reading or the motion that the Bill be passed can be questioned by opposing the motion on the merits.

Mr. Puthupalli S. Krishna Pillai: No member is entitled to question the principle contained in the Bill. As regards the necessity also, it has been accepted by the House and unanimously decided. No further question can arise either on the acceptability of or on the principle contained in the Bill. Any other objection that the member may have, for instance that the Bill should not be passed into law, may be raised, but it must be an opposition to the motion that the Bill be passed. No further discussion can take place.

Mr. M. S. Anirudhan (*Karunagapalli, Karthigapalli and Ambalapuzha* cum *Shertalla*) : May I know from the honourable member whether this House can consider at this stage that the Bill be passed or not?

Mr. Puthupalli S. Krishna Pillai: I said that when the motion is that the Bill be passed any member can oppose the motion.

Mr. P. N. Krishna Pillai. I was only adducing grounds why the motion should not be passed.

President: Order, order. This house has, by its precedents, made the position fairly clear on that matter. The precedent relating to the matter are contained at page 71 of the book of precedents.

Precedent 115 reads thus :—

"The question arose whether members could speak on a clause in a Bill even if no amendment is sent up."

"The President ruled."

"Unless there is a definite amendment before the House no member has got the right to speak."

"Then, Mr. A. S. Damodaran Asan said that when the motion that the clause do stand part of the Bill is before the House any member can speak on it. The President then remarked :—

'It is only on an amendment that any member can speak, and when a clause is put, it has only to be voted upon."

"The President again pointed out: "Let me tell Mr. Asan distinctly that it is not the intention of the Chair either to act arbitrarily or to shut out legitimate discussion. This motion, as Mr. Asan will

[President.]

> clearly understand, is not a motion before the House. It is merely a question put by the Chair, as to whether this clause do form part of the Bill. Those who are in favour of it will certainly say "yes" and those who are against it will say "no". There is not a regular motion before the House. Therefore, Mr. Asan will understand that anything which is not a motion is not open to discussion."

Honourable members can, of course, vote for or against the motion that the Bill be passed into law. As soon as the second reading is over, the main principle of the Bill is supposed to be accepted. The Select Committee Stage in the case of this Bill has not taken place in this house but the principle of the Bill has been accepted and when the amendments have been ruled out, the honourable house may vote for or against the motion that the Bill be passed into law. But no elaborate discussion on the principle of the Bill is permissible at this stage if there are no appropriate amendments on the tapis.

Mr. P. N. Krishna Pillai: I was adducing reasons to show why I should oppose the Bill.

President: You may adduce reasons which will not take up any of the points of principle arising on the Bill. They may be reasons of procedure, reasons of any faultiness in the manner in which the Bill has been brought up before the House.

Mr. P. N. Krishna Pillai: Sir, I think that in the interests of labour I should oppose the third reading of the Bill in this House. As this Bill was rushed through in this House we had not sufficient opportunity except at this stage to deal with the various matters arising out of the provisions of the Bill. Sir, we the labourers have always demanded for some machinery for conciliation of trade disputes. But that should not be construed as a demand for saddling on us the penal clauses which occur in the Bill after clause 14. Not only that. This Bill has been recently amended by the Central Indian Legislature and those latest amendments of which I had given notice have not been incorporated in this Bill. An amended act has been passed in British India and it has been made up-to-date. Similar amendments are being attempted by the Provincial Legislatures in British India. It has been conceded on all hands that Clauses 15 and 16 of the Bill are pernicious to the interests of any genuine trade union movement. Sir, the trade union movement is in its infant stage in this State and the Trade Union Regulation has come into force only three months back and since then half a dozen trade union organisations have been registered. If this Bill is passed into law, their freedom of action will be fettered; and no sort of genuine trade unionism

will be possible in this country unless and until this House votes down this Bill. Sir, this is not the attitude that Government ought to take towards an infant movement. No amount of pernicious or oppressive piece of legislation, I may assure the House, will stem the rising tide of trade unionism in this country. This Bill is only an attempt at suppressing genuine trade union activities in the State. Sir, what do the clauses occurring after Clause 14 say? No strike can a labour organisation resort to in a public utility service without giving fourteen days' notice. That, as I pointed out on a former occasion, will frustrate the object of the strike. We know from our own experience what effect a strike will have if it is resorted to after giving fourteen days' notice. We had tried that on a previous occasion and we know that not only the employers but even the Government who acted as the handmaid of the employers have frustrated the object of the strike. Strikes are the legitimate right.. .....

President: Order, order. Precedent No. 114 at page 71 reads thus:—

> "When the Deputy President said that clause II do form part of the Bill, a member stood up to speak on it.
>
> "The Deputy President Ruled:—It was only a few minutes ago that the President gave a ruling that it would not be right on the part of a member to make any elaborate speech when a clause is put to the vote after the amendments to it are disposed of. I was also more or less of the same view during the last two days. When Mr. Sambasiva Aiyar, the other day, wanted to speak, it was considered even by the official member in charge of the Bill, that Mr. Sambasiva Aiyar might be given an opportunity as a special case; and therefore it was that he was allowed to speak on a former occasion like this. Really he has no *right* to make a speech at this stage."

It is because the honourable member is nominated to represent labour that I am giving him considerable latitude and I am allowing him to make a speech on this occasion. But that does not entitle him to make a long speech or to go into the full policy of this piece of legislation.

Mr. P. N. Krishna Pillai: Sir, what I was attempting to point out was that this piece of legislation will strike at the very root of the infant trade union movement which is being developed in the State. Clause 15, as I pointed out, requires a notice to be given to the employers in a public utility service. If such a notice is given, the strike will be frustrated. Government will also come to the aid of the employer and the employer will be able to counteract the effect of the strike by arranging for other labourers. We had also that experience. It is only to frustrate the beneficial results out of strikes that the provisions of the Bill are intended. Sir, we

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had also other experiences in this State where strikes were resorted to without giving adequate notice and where we have been a little successful. In such cases the authorities came down and said that our demand would be cared for. So, this clause which insists on the giving of 14 days' notice in the case of public utility service is a clause which will enable any employer to be unperturbed by any strike.

Strike is a legitimate weapon recognised by Governments all the world over, and if any Government shows any apprehension any panicy state of affairs, when they hear the word 'strike', such a Government does not deserve the pretension of being called a civilized Government. I beg to submit that clause 15 and subsequent clauses are incorporated to fetter the right of the workers for indulging in strikes. The existence of those clauses can no longer be called to serve the interests of the public utility services. They are very pernicious and uncalled for and are infringing on the civil liberties of the public workers. As a matter of fact, if a strike is resorted to, then clause 16 will step in and declare that it is with an intent to inflict severe, general and prolonged hardship to the community. That clause has been amended by the British Indian Legislature recently. But no heed to that has been paid by this Legislature, nor has the Legal Rembembrancer taken any note of it by way of bringing in that amendment even at this stage of the Bill.

President: The honourable member will please remember that this House has considered the Bill after it was passed by another Legislature. The Legal Remembrancer has nothing to do with the bringing in of this Bill.

Mr. P. N. Krishna Pillai: Even then, I thought that to be on a par with the wholesome principle of labour legislation obtaining in British India, the Legal Remembrancer would acquaint Government with those facts and bring in amendments to that effect. That was all what I wanted to convey when I referred to the Legal Remembrancer. So then, under clause 16, it seems that strikes are being declared illegal on the ground that they are intended to cause severe, general and prolonged hardship on the community. According to the amendments suggested elsewhere, they provide for the redress of the grievances of the people who are engaged in strikes. Trade disputes are automatically referred to as per clause 3 of this Bill to a Board of Conciliation or a Court of Enquiry, if there is such a provision. According to clause 15 of the Bill, when there is a strike without the prescribed notice, there is a provision in the Government of

India Act that intimation to that effect should be given to the Government of India when they may institute a Court of Enquiry. No remedy is sought to be given for the workers who have a genuine grievance. The Royal Commission on Labour has pointed out that the weakest point in the British Indian legislation is in regard to trade disputes and that is, while labour is prosecuted and his right infringed, no remedy is provided when he has a genuine grievance. Bearing that in mind as well as the various attempts that are being made by the Provincial Legislatures and the Central Legislature in British India, this Government has not tried to bring in remedial measures at the door of the workers. This Government has only to enact a measure which will be on a par with legislation elsewhere so far as this Bill is concerned. This Government has not tried to incorporate the latest amendments brought in by the Central Indian Legislature on the subject. Sir, you might have noticed that in the last week of April, the Bombay Government have gazetted a Bill for bringing about conciliation in trade disputes. It provides that when negotiations are going on between the employer and the employee, if the employer dismisses an employee that act becomes penal. There is no such provision in our Bill. Accordingly an employer can dismiss an emplyee without giving notice to that effect. Without assigning any reason an employee can be dismissed.

President: May I ask the member whether that Bill has been passed there?

Mr. P. N. Krishna Pillai: I said such a Bill has been gazetted. It will be coming up in the next session of the Bombay Legislature. As I submitted, there is a provision which says that an employee should not be dismissed when negotiations are going on between the employer and the employee. According to the provisions of the Bill under our Government, an employee can be dismissed without giving any adequate reason and therefore an employer is being protected. That clause works against the spirit of legislation obtaining elsewhere. Government are always anxious to protect the interests of the employer so much so his interests alone seem to be in the heart of Government. That is unfair for any Government. For the industrial progress of the country, as a matter of fact for any country, only one factor has to be considered. The labourers rights and privileges should be considered by Government. Their grievances should be taken into consideration and remedies provided for them. If nothing is done in that direction, no industrial progress can be achieved in this country. If the legitimate claims of the workers are ignored, if their legitimate ambitions and aspirations are discountenanced, the industrial progress of the country will be hit hard. We thought that the Bill was sponsored by Government after taking into consideration the

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genuine grievances of the workers. Now I find the Government had not reckoned the labour interest to any extent. The subsequent events have falsified our hopes. The Bill now brought up before the House only shows that it is in keeping with the subsequent policy pursued by Government. The interests of the employers alone are cared for. If the Government want to usher in an era of industrial prosperity the interest of labour should be adequately safeguarded. No industrial progress could be achieved any where on the face of the earth by suppressing the legitimate ambitions and aspirations of the labourers, or by suppressing "economic strike" so to say. Under the provisions of the bill, any reasonable strike can be declared illegal. Suppose the transport workers in Trivandrum and Kottayam want to declare a strike for nationalisation of the transport service. It is a strike in furtherance of something according to trade disputes. It comes within clause 16 of this Bill. If there is any interference in regard to severe, general and prolonged hardship upon the community, clause 16 will come into play. The genuine and bonafide grievances of the workers of trade unions are not considered at all. Their legitimate movements are suppressed. That is what is made out by this Bill in short. That is consistent with the policy of Government in catering only to the interests of the employers. By that means, the industrial prosperity of the country is destroyed. The legitimate claims of the workers are recognised by the Governments elsewhere and steps are being taken to redress those grievances. When this bill was under discussion on a previous occasion some honourable members pointed out that the labourers themselves had demanded this Bill. I submit some sort of machinery should be constituted for conciliation purposes. Such a machinery constituted according to this Bill is imperfect, inadequate and impracticable in working. The legislatures elsewhere are trying to amend the provision concerning the machinery for conciliation. However imperfect it might be, however inadequate it might be, we will accept it and work the Bill from clauses 1 to 14. As regards the subsequent clauses, no occasion has arisen in this country for bringing in penal provisions in the Bill. Clauses 17 and 18 are trying to nullify any attempt at maintaining the discipline under trade unions. If any member of the trade union disobeys the mandate of that union, then no disciplinary action can be taken against him under clause 18. As I submited earlier such a provision will stultify the growth or rise of trade unions which ought not to be the policy of Government.

President: Am I to understand that the honourable member has no objection to clauses 1 to 14 of the Bill and that he objects to clauses 15 to 18.

Mr. Kottur Kunjukrishna Pillai : May I know whether the member opposed those clauses when they were put to vote of the House on a former occasion?

Mr. P. N. Krishna Pillai : I accept the clauses from 1 to 14. I did oppose the whole Bill. If the member had heard me properly, he would have noted it.

Clauses 15 to 18 of the Bill are aimed only at furthering the interests of the employer at the cost of the labourer. They are aimed at suppressing trade union movements in the State. It has become impossible to keep under disciplinary control members who disobeys the mandates of the various trade unions in the country. Recently this portion of the clause was amended in British India and I had given notice of such an amendment to this Bill. Had it not been for the technical objection raised by the ex-champion of the labour interest, Mr. Kottur Kunjukrishna Pillai, I would have moved it. Under that clause it is provided for the creation of Conciliation Officers. That provision has been recommended by the Royal Commission on Labour as well as by *ad hoe* committees. In England if we read the history of trade union disputes, we will find that the Governments there rely on permanent officers in the matter of Settlement of disputes. In the Central Indian Legislature, some attempt has been made in that direction, namely for creating an office towards conciliation purposes. I have also given notice of such amendments. But unfortunately that was ruled out on the ground that sufficient notice was not given. Without any Conciliation Officer being appointed *ad hoe* committees will be of no use and I do not know how the Bill is going to be worked. I may also submit in this connection that the conciliation machinery provided under this Bill is quite inadequate and imperfect. With regard to penal clauses there is absolutely no justification for that. Who is to decide whether a strike is calculated to inflict severe, general and prolonged injury to the community? What is the sort of prolonged injury? Is it an injury for a day or two days or three days? Which Magistrate is to decide that? Who is to decide that such and such a period of duration is calculated to inflict severe and prolonged injury? All these points are difficult for decision by any Magistrate. Then there comes in, what is the meaning to be given to "general injury". What are the tests by which general injury and a prolonged injury are to be decided? These points are very vague under the provisions of the Bill. Clause 16 in particular is vague. It has been found absolutely impossible for working it in British India. I may assure the Legal Remembrancer that various provisions under this Bill are not satisfactorily working in British India. Why is it that such changes as are sought to be made in British India is not proposed in our Bill? When the Governments

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all the world over are adopting such a wholesome provision, why is it that our Government are not in line with them? There is no object in putting clause 16 as it is in the Bill? It is not practical politics to put clause 16 into operation. Only a single case was launched by the Police in Bombay. It was because of that, that an amendment was brought up by the Bombay Legislature.

The Penal provisions of the Bill are alien and therefore unwanted and unnecessary. That is opposed to the spirit of the whole Bill. The conditions in the country do not desire such a change to be brought about. Therefore this House should throw out such a piece of legislation even at such a later stage. This is a Bill which is intended to benefit the employers only, and not the workers. It seems the interests of the employers are entrusted with Government. That being the case, this is a very mischievous piece of legislation, in so far as the Bill is aimed at benefitting the interests of employer at the expense of the employee. This is pernicious piece of legislation and no section of the public should be a party for passing such a legislation. It is a very mischievous piece of legislation capable of gross abuse at the hands of Government. Even at this belated stage, the Bill should be thrown out.

I would submit in this connection an additional ground for throwing out the Bill. We have accepted the wholesome principle that labour legislation in the State should be on a part with legislation in British India. If that is so, this piece of le_islation is quite antiquated. Such a piece of legislation, which is not in keeping with modern amendments carried out in British India, ought not to find a place on our Statute book. We are to keep abreast of conditions obtaining elsewhere and incoporate the progress made there. There is absolutely no harm if this House rejects the Bill and brings in another that will be more acceptable, wholesome and conducive to the interests of the labourers as well as employers in this State.

There is absolutely no harm if we reject this Bill. This Government can appoint Conciliation Officers even without this Bill. The provisions of the Bill will be working great hardship on the labourers. We can bring in another Bill on the lines of the British Indian Legislation which has been amended by the Central Legislature and the other Provincial Legislatures.

Mr. Puthupalli S. Krishna Pillai: Does the honourable member know that Clause 16 still forms part of the British Indian Act?

Mr. P. N. Krishna Pillai: I know that and more than that. I may Inform the House that no material amendment has, till now, been made in British India. I thought that I made that point clear before. It has been made out that Conciliation Officers are proposed to be appointed in the interest of labour and it was accepted by that House in that spirit.

With regard to Clause 16, I may say that there was an amendment made. As soon as the employer receives notice of a general strike he has to inform the Government of that notice and an opportunity is given to constitute a machinery to go into that question. That was the amendment that was made in Clause 15. An amendment was proposed in the Select Committee stage and it was dropped there because it was assured that it will be brought up again after ascertaining the views with regard to Clause 16.

With regard to Clause 18 (1), there is an important amendment that has been made by the British Indian Act. That is a very useful provision. If a Conciliation Officer is to be appointed, he can prevent trade disputes. The very protective way of tackling trade disputes is to prevent it and to nip it in the bud. It is to mediate and settle trade disputes that Conciliation Officers are appointed. I was wonderstruck to hear that no material amendment has been made by the British Indian Legislation. This very amendment to Clause 18 (*a*) is a material amendment as far as labour is concerned. I do not know why the Legal Remembrancer asked me why no material amendment has been made.

Mr. Puthupalli S. Krishna Pillai: I said, to Clause 16.

Mr. P. N. Krishna Pillai: With regard to Clause 16, I said the history of the Clause. I said that an amendment was proposed. That was brought at the Select Committee stage and if the honourable member will read the proceedings of the Central Legislature he will understand that that amendment has not been finally dropped but after opinion is gauged from every quarter the amendment will be brought forward. Section 16 is sought to be amended to provide some remedial measures when a general strike is declared. Here no remedial measure is given. That is a very serious defect and that serious defect is sought to be remedied by the British Indian Amendment in the Central Legislature. The honourable member said that Clause 16 in the original Bill is going to be materially amended. Provincial Legislatures are going to amend the contents of the provisions of Clause 16 in the Trade disputes Act. So all over British India there is an attempt to modify, Clause 16, Clause 15 and all the Penal Clauses with regard to this piece of legislation. So what I submit is that let us also wait. We

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can afford to wait till British India brings in a Bill which will embody all the amendments. Government, when they introduced the Labour Legislation during the life-time of the last Assembly, accepted the policy that labour Legislation in Travancore should, as far as possible, be on a par with the legislation in British India. If that principle was once adopted, there is no reason why we should depart from it now. There is no grave situation that has arisen. There is no general strike threatened anywhere. There is no case of any hardship to community except due to the trouble that has been created by the indifferent policy that was pursued by the Government with regard to the demands made by labour. There is absolutely no occasion for this piece of legislation, this pernicious legislation which infringes on the liberties of labour.

President: The honourable member should not repeat it. He has used the expression once.

Mr. P. N. Krishna Pillai: Legislation in Indian States should be on a par with British India. There is absolutely no necessity for any hurry in passing this Bill. Besides, so many amendments are proposed in British India. As I submitted earlier, considering all these grounds, I would appeal to this House to throw out this piece of legislation which is said to be in the interests of labour and which labour says they do not want, which is said to be in the interest of the employer and which the employer says he does not want. Do the public or the Government want it? Who wants it? Nobody wants it. I can say that this piece of legislation is quite unwarranted, quite unjustified and not amenable to the spirit in which the labour movements work in this country. This will only enbitter labour. It will enbitter the feelings between employer and labour, between employer and Government and between every other section of the public. This will only prolong the agony of the trade dispute. That will be the only result of this legislation. I will say that any piece of penal legislation which is intended to infringe the civic liberties of labour will be of no avail. Why create an unnecessary situation in this country by passing a piece of legislation which is not at all necessary either in the interests of labour or of the employer? So I oppose this motion and say that this house should throw out this Bill even though it is at a late stage.

Mr Puthupally S. Krishna Pillai: Sir, it is a very difficult matter to make a speech on arguments based on immaginary grievances.

President: The honourable member will not go into the merits of the case.

Mr. Puthupally S. Krishna Pillai: I am therefore compelled to face bare facts and facts alone in the speech which I propose to make in reply to the one made by the representative of labour. One point of attack was that this bill is an antiquated one because it still retains Clauses 15 and 16. Section 15 deals with sudden strikes and lock-outs in utility services. Section 16 deals with illegal strikes and lock-outs. These Sections of our Bill correspond to Sections 15 and 16 of the Trade Disputes Act now in force in British India. To begin with it has been stated that the Legal Remembrancer did not care to take note of all the amendments that have been passed in British India and the retention of those provisions will be a slur on the legislative instinct and reputation of this house. There must be a limit, even if he be a representative of the labour, to bluff.

Mr. Nedumangad R. Kesavan Nair: Sir, I rise to a point of order. I wish to know whether the word 'bluff' is parliamentary.

President: Certainly.

Mr. Puthupally S. Krishna Pillai: The honorable member representing labour said that the Legal Remembrancer, even though he was paid for it, did not look into the latest amendments in British India and bring them up before this house. I thought the member implied that Sections 15 and 16 in the British Indian Act have been repealed at the moment the member spoke. I have got the British Indian Act of 1938. I find that even in spite of what Mr. Clow said in the Legislative Assembly, Clauses 15 and 16 even today find a place in the Statute Book with but very insignificant amendments. I may state for the information of this house that the British Indian amendment Bill as it was introduced in the Indian Assembly was before the Select Committee of the Sri Mulam Assembly. Every Clause was discussed in the Select Committee and such of those proposed there which could be adopted here have been adopted, The present Trade Disputes Bill is modelled on the Act of 1929. It has incorporated most of the provisions of the Amending Act of 1938. He said that further amendments proposed in the Legislative Assembly have not been brought in this Bill.

Mr. P. N. Kishna Pillai: May I know whether amendment to Section 15 was adopted here?

Mr. Puthupally S. Krishna Pillai: Yes, to the extent to which we could. It is not the case, as was said, that Clauses 15 and 16 have been repealed by British Indian Legislatures. Clause 16 which deals with illegal strikes and lock-outs appears to have been amended to this extent. "A strike or lock-out shall be illegal

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which has any object other than the furtherence of a trade dispute ....". For the words "other than" they have adopted the words "in addition to". That is one notable amendment made in British India. In Sub Clause (b) we have the words "is disigned or calculated to inflict severe, general and prolonged hardships". They have the words "general and prolonged." In that respect our Clause will be more advantageous to labour. We have insisted upon further conditions. "Inflict, severe, general and prolonged." These are the three conditions that have to be established before Clause 3 is to be made applicable. In British India they have put in the words "general and prolonged." So our Bill is more advantageous to labour than the British Indian Trade Disputes Act.

Now, when a member says that various amendments have been made in British India, I thought that the amendments were really made. But when questioned, the member said that those amendments were proposed. Sir, I may ask, what is the use of proposals if those amendments were not accepted. Sir, proposals were made and here discussed and finally rejected.

Now let us deal with the other points urged by the honourable member who represents labour. The honourable member says that he agrees to the principle contained in clauses 1 to 14. And he has no objection to those clauses. But clauses 15 and 16 which are objected to so much by the honourable member are still law in British India. Therefore, what is good for British India to borrowthe honourable member's opinion may be good here also. Another objection of the honourable member is that clause 18 A of the British Indian Enactment has not been adopted here. That section in the British Indian enactment relates to the appointment of conciliation officers. But our Bill deals only with the power of appointing courts of conciliation and boards of conciliation and not conciliation officers. We have here prescribed the court or the body by which trade disputes can be settled. They are the conciliation boards and the conciliation courts. The honourable member says that he wants a conciliation officer. He complains that his amendment to this clause to this effect was rejected and therefore he could not move it. But what I would say is that even if it were accepted he could not have moved it because the powers of this Legislature in certain respects are more restricted than the powers of the Indian Legislative Assembly. Here the member brings up a proposal to make a provision that conciliation officers may be appointed. Now, it is a motion if accepted would create further charges on the revenues of the state.

President: Even in British India it could not be moved except with the consent of the Governor-General.

Mr. Puthupally S. Kishna Pillai: Sir, if the honourable member had read more carefully the standing orders and the rules of this Assembly he would have been in a better position to understand that this amendment could not be moved except with the sanction of the Dewan, because it is an amendment which creates further charges on the revenues of the State. It is about 8 years since the enactment was passed in British India. Considering the number of industries that are in existence and the number of labourers employed in the industrial concerns in British India, permanent conciliation officers may be necessary there in order that they might have further opportunities for supervising the general conditions of labour and to inquire into the general causes of trade disputes and if possible to prevent such disputes. Sir, I ask, is it not a luxury to copy such institutions in this State. Before such provisions are made we should be satisfied whether such provisions are necessary in our state. I think, Sir, that under the present circumstances such a provision will be a large drain on the sources of the revenue of the State. And there must be a necessity made out for such a provision. But, here we have provided two institutions and let us see how they work, Sir, the Factories Legislation is coming into existence and a large number of factories are to come under that Regulation. And that Regulation requires that a permanent Inspector should be appointed to supervise the operations under the Regulation. He would probably see that sufficient restraint is put on labour leaders making firey speeches.

Sir, I am speaking of the work of the conciliation officers. As matters stand at present the provision contained in the Bill must be treated ample to meet the present situation. When our industries have further developed and when the situation changes, the House will be competent, even without regardto what the Honourable Member Mr. Clow has said in the Legislative Assembly, to adopt any suitable amendment brought foward by any honourable member provided it come plies with the rules and standing orders of this House. Therefor the honourable member should not think that because a similar provision has been proposed to be adopted in Bombay or Madras recently we must follow them or that we must make our laws on the same lines of what is obtained in the United States of America or England. We are only concerned with what is wanted at present here. And I hope that what is provided in the present Bill will be sufficient to meet the present demands.

The question that the Bill be passed was put to vote and carried.

Mr. P. N. Krishna Pillai: Sir, I demand a poll. A poll was taken and the House divided as follows:

[Mr. P. N. Krishna Pillai.]

AYES—24.

1 Mr. M. K. Ananthasiva Aiyar
2 ,, V. S. Arumugham Pillai
3 ,, A. Easwara Pillai
4 ,, P. R. Godavarma Raja
5 ,, M. Govindan
6 ,, Eric Hall
7 ,, Miss Hepzibah Gnanasikhamony
8 ,, James Fletcher
9. ,, Padiyara Joseph Kunju
10 ,, Kottur Kunjukrishna Pillai
11 Mr. T. Mahomed Ismail
12 ,, P. I. Simon
13 ,, C. N. Thuppan Namboodiri
14 ,, Kallur Narayana Pillai
15 ,, C. O. Madhavan
16 ,, M. Govinda Pillai
17 ,, K. J. Cherian
18 ,, R. Krishnaswamy Rao
19 ,, M. Ramachandra Rao
20 ,, Puthupally S. Krishna Pillai
21 ,, K. Madhava Kurup
22 ,, A. Gopala Menon
23 ,, P. Parameswaran Pillai
24 ,, K. R. Narayana Aiyar.

NOES—8.

1 Mr. M. S. Anirudhan
2 ,, Kochikal P. Balakrishnan Tampi
3 ,, N. V. Chacko
4 ,, Nedumangad R. Kesavan Nair
5 Mr. T. K. Kittan
6 ,, K. M. Korah
7 ,, K. K. Kuruvilla
7. ,, R. V. Thomas.

NEUTRALS—3.

1 Sahib Bahadur Sultan Mohideen
2 Mr. K. R. Elenkath
3 Sahib Bahadur Abdul Tayeb Shaikh Kaderbhoy.

The Bill was passed.

THE TRAVANCORE FACTORIES BILL.

Mr. Puthupally S. Krishna Pillai: Sir, I beg to move that the Factories Bill as passed by the Travancore Sri Mulam Assembly be taken up for consideration.

Mr. K. Madava Kurup : I second the motion.

Mr. Puthuplaly S. Krishna Pillai: Sir, I have only a few words to state in support of the motion that I have made. This Bill was published in the year 1935 and introduced in the Legislative Assembly soon after The Bill was being considered by the Select Committee for some time, the Select Committee made certain changes in the Bill and it was discussed at great length in the Assembly. I can assure the honourable members that the Bill as passed by the Assembly has adopted the main principles and the main provisions of the Factories Act of 1935.

Mr. P. N. Krishna Pillai: 1935 or 1934?

Mr. Puthupally S. Krishna Pillai: The Factories Act of 1934. Honourable members will be pleased to note that the provisions of the Bill are more or less on a par with the British Indian enactment. After the original Bill came into law in British India two or three amendments were passed to certain provisions. Those amendments were also taken note of by the Select Committee and also by the Assembly at the time when the Bill was discussed. And it will be noticed that except in regard to one amendment all the amendments made have been incorporated in the new bill. The amendment which has not been considered is an immaterial one.

Mr. P. N. Krishna Pillai: May I know which amendment was not considered?

Mr. Puthupally S. Krishna Pillai: Every important amendment that has been made was incorporated in the Bill, I may also inform the honorable members that in two respects we have made considerable advance on the British Indian legislature, that is, in regard to the spread-over of the period of labour for women and children. In British India, generally the rules is, whether it be the case of the adults, adolescents or children the spread-over of the period is 13 hours. In the case of women and children, we have gone a step further out of respect for the sentiments of the representatives of labour and out of respect for the feelings of the large class of women who are working in the factories and also for the benefit of the young children, and the Assembly has made alterations in two sections. They are that no woman or child shall be allowed to work in a factory before 7 a. m. and after 5 p. m. Even in England the rule is slightly different. There, the spread-over of the period is 12 hours. But, here the spread-over is from 7 a. m. to 5 p. m. i. e., 10 hours. In British India it is 13½ hours. But we have gone a step further. I hope the honourable members will realise that this is a much wanted legislation and this will be allowed to be brought into force at once. So far as I have been able to see there are no material amendments proposed and in any case the amendments which I find.........

President: No. All the amendments were discussed in the other House.

Mr. P. N. Krishna Pillai: Sir, I have got very great pleasure to support the motion that this Bill be taken into consideration by this House. We labourers in Travancore had been demanding for a long time that the Factories Legislation may be made on a par with the British Indian enactment. And the Government have utilised the opportunity and have rightly moved in the matter in bringing forward this Bill. We have expressed our

[Mr. P. N. Krishna Pillai.]

gratitude to Government for bringing the Regulation in line with the 1934 Act of British India. The existing Factories Regulation came into existence in Travancore in 1911 and though various amendments were brought into effect in British India no amendment was sought to be made here. The condition of labour has grown worse. At present there is no restriction with regard to the working hours and with regard to the hygienic and sanitary conditions of the factories in which the labourers work.

Mr. R. V. Thomas : Sir, are the honourable member's remarks relevant to the motion? He is speaking of the conditions which existed before.

President : Quite relevant. In order to impress upon the House the need for such a Regulation, the conditions of labour which existed before can be explained.

Mr. P. N. Krishna Pillai : Sir, I was just trying to express what labour feels about the introduction of this Bill. Sir, I may say on behalf of labour that it accepts the principles underlying this Bill. Sir, I was saying that the condition of labour in the various factories in the State were so hopeless that they were compelled to agitate for bringing the Regulation in conformity with that which is existing in British India and now the Government have utilised this opportunity and brought forward a Bill which is analogous to the British Indian Act of 1934.

We are grateful to Government for that and we have only suggested some amendments which according to us are quite necessary to fit in with the conditions obtaining in Travancore. To say that these amendments have been discussed elsewhere and that they need not be considered again is not fair.

President : The question does not arise because the amendments are not in order.

Mr. P. N. Krishna Pillai : With regard to that matter I may make a personal pleading to the Chair. Unlike the previous Bill, this Bill was passed only in the previous session of the Assembly. It was sent only very recently for our consideration.

President : Honourable member must understand that it was sent before the budget session started.

Mr. P. N. Krishna Pillai : Sir, we got it just after the budget discussion, so that we had only six days' time.

President : Honourable member will realise that it had been placed before the House for about three weeks and I find that no

honourable member has put in amendments, excepting the member who represents labour. The honourable member will see that even that was not made in time.

Mr. P. N. Krishna Pillai: Unlike the previous Bill this had been passed only recently. We had to study the proceedings.

President: Order, Order. As the honourable member will realise and as he had stated, this is a great improvement on the present system and the hours of work and the limitation which are being brought into legislation are ahead of anything in India at the present moment. The amendment which the honourable member has brought in are not in order. In any case, Government cannot possibly themselves sponsor such amendments because they will according to Government deflect any industry away from this State and British India. But that apart, if they are allowed to be discussed, the difficulty is that this beneficial legislation will not come into force for another six months.

Mr. P. N. Krishna Pillai: Sir,

Mr. Puthuppalli S. Krishna Pillai: Sir, this Bill as passed by the Assembly was brought to their notice one month earlier.

Mr. P. N. Krishna Pillai: But we got the copies only very late.

With regard to the merits of the amendments I haye adequate grounds to allege that they are very essential. I only crave the indulgence of the Chair to tide over the technical difficulty because my amendments were sent in only a day later. That is all what I place before the Chair, and this being a very important piece of legislation and this House represents mainly vested interests, I plead that I may be given time to go into the various clauses of the Bill and discuss them. I once again pray for the indulgence of the Chair to set aside these technical difficulties and to allow the only representative of labour to move the amendments which he has given notice of, because the Bill was passed only in the last session of the legislative Assembly.

With regard to the principle of the Bill, I have to submit a few more words. While we generally endorse the principle of the Bill it should fit in, as I wanted to point out, with the conditions obtaining in this country. The definition of the word factory as it is in this Bill is one which is not at all suitable to the conditions of industry in this country. If only those industries which do much work with the aid of power and which employ more than 20 persons within the previous 12 months, are sought to be protected then the majority of the factories which wants protection at the hands of Government

[Mr. P. N. Krishna Pillai.]

will go out of the ambit of the Bill. There will be absolutely no protection for the toiling masses engaged in the cashewnut or coir factories. It is conceded on all hands that the condition of labourers is quite miserable in these factories. Even the Legal Remembranber, before he crossed the floor of the House, had pointed out elsewhere that the condition of labour in the cashewnut and coir factories is miserable and that this Bill is not going to bring in any measure of relif to the toiling masses in the cashewnut factories whose conditions of labour borders on that of starvation. Then why should this be brought into effect. It should be in keeping with the condition of labour in this country. The majority of the cashewnut factories do not use power. They employ thousands of labourers, mostly women and children and their conditions of work are quite horrible. If the satutary principles which this Bill wants to enforce cannot be given effect to in the case of these factories, why should there be this Bill? I am aware that the provisions of this Bill can be extended by Government to factories even though they do not engage 20 people and use power. I am aware of that. But that is not what I demand. I want it to be mentioned specifically and clearly that the Bill automatically affects all the factories which employ more than 20 persons in any of the preceding 12 months. Government have power to exempt any factories from the operation of this Bill. If they think that any small industry will be injuriously affected there is ample provision to exempt it from the operation of the Regulation. That is the clause which will go to protect these factories which will find themselves very hard to pull on under the provisions of this Bill. What I submit is that considering the bulk of the workers who are to be protected by this piece of legislation, the definition clause ought to be materially changed. I have sent in two amendments to that effect. By the amendment to clause 2, I think we can accommodate all classes, the employers and the employees. Similarly in the coir factories it is only in a few instances that the steering machine is used and that is the only machine which is worked by power. Suppose the employers remove this steering machine alone; then he can very well escape the provisions of this Bill. The working of this steering machine requires a few hands. They can be removed. All the hundreds of employees who are engaged in a very unwholesome condition will be injuriously affected if the provisions of this Bill...........

President: That is the provision in British India with regard to this matter.

Mr. P. N. Krishna Pillai: I am glad that the Chair has reminded me about the provisions made in British India. Sir, there the definition of factory in the 1934 Act is the same as the one obtaining here. But, I shall point out that in the United Provinces Legislature a labour representative has brought in a Bill which is being discussed there.

President: All that I want to point out is that clause 2 here is exactly like that in British India to-day.

Mr. P. N. Krishna Pillai: Sir, there also the provision of the definition is sought to be widened. In the United Provinces also there is a definite attempt made towards such a change. Sir, recently the Director of the International Labour Office, Mr. Harold Butler who had been touring India, has pointed out the urgent necessity of changing the legislations that are calculated to inflict hardships on the labourers. When such an authoritative and important man like Mr. Harold Butler of the Geneva Labour Office pointed out the necessity for changing the legislation, the provincial Governments began considering the question not in a provincial manner. They are going to have improved provisions because they are having the interests of the labourers in their mind. Mr. Harold Butler has pointed out that the plea that there will not be adequate inspecting staff to inspect these unregulated factories, is only a myth. If Government revenue is spent for any useful purpose it ought to be spent for the protection of these poor workers in these unregulated factories. We want the poor workers working in the coir and cashewnut factories to be protected. The two important industries in Travancore are the coir and the cashewnut industries. The workers in both these are anticipating labour legislation and this has been brought here. If the bulk of the workers are not going to be affected by this provision of this Bill, there is absolutely no use in passing this piece of legislation.

President: Does the honourable member support or oppose the Bill?

Mr. P. N. Krishna Pillai: Sir, I endorse the general principle of the Bill and try to point out the various amendments that will have to be brought in during the discussion of this Bill. While endorsing the principle of the Bill, I submit that unless the definition of the factory is widened, unless the majority of the workers working in the various factories are brought within the definition, absolutely no purpose will be served by the enactment of this Bill. Whatever might be the reasons that prompted the enactment in British India, we should take into consideration the conditions existing here.

Similarly, with regard to the hours of work, I would submit a few words.

President: Order. Order. You cannot speak on your amendments.

Mr. P. N. Krishna Pillai: No, I am not going to speak about them. I am just dealing with the general principle of the Bill, Sir, with regard to the hours of work it is provided that there shall be a 54 hour week. I know that a 54 hour week exists in British India. We have passed, I mean the Lower House has passed an amendment to the effect that a 48 hour week should be brought in. But it has been changed in during the third reading of the Bill.

President: The honourable member is not entitled to speak on his amendment.

Mr. P. N. Krishna Pillai: No, I am saying that one of the greatest principle of this Bill is the hours of work and as such I would be failing in my duty if I do not refer to the working hours when I discuss a general principle.

Mr. Sultan Muhiadheen (*Trivandrum and Nedumangad cum Chirayinkil*): Are not the working hours fixed at 54 in other States or are they only in British India ?

Mr. P. N. Krishna Pillai: Sir, in other States there might be monstrous regulations. We cannot now think of other States and the unwholesome and barbarous pieces of legislation. With regard to other States, I may inform the House that both Cochin and Mysore have passed measures fixing 54 hours. With regard to the other States, I am not aware of any which has so far thought of enacting a measure on the basis of the 1934 Act of British India. I say, it was a laudable attempt on the part of the Government of Travancore to have thought of bringing in a measure which would be on a par with that of the British Indian Act. But what I submit is that there is no reason why we should stop where British India has stopped, and not go further ahead. Why should we rest cantent with achieving merely what they have achieved in British India ? With regard to Government servants, the Government of Travancore have given the lead and have accepted the very wholesome principle of 30 hours' work per week. Sir, in all labour journals of the world it was published that Travancore has given a lead in this matter. Our publicity Department broadcast that news widely. That was a lead given in the proper direction. Sir, if, under the electric fans and other comforts, with security of tenure and assured increments, the Secretariat employee need work only for 30 hours a week.........

President: May I ask whether the Bill applies to the Secretariat employees ? (*Laughter.*)

Mr. Puthupalli S. Krishna Pillai: Is the Secretariat being worked by power ?

Mr. P. N. Krishna Pillai : That is really a very ingenious suggestion, Sir.

President : Anyway, the electric fans in the Secretariat are driven by power. (*Laughter.*)

Mr. P. N. Krishna Pillai : As I was submitting, Sir, the Travancore Government has given a lead by fixing a 30 hour week for their employees. Of course, I envy their lot. But, why should we deny that to the poor workers who toil in our factories. Certainly, the Legal Remembrancer who is himself enjoying the 30 hour week would be very cruel if he does not share such benefit to the poor factory workers and give them at least a 48 hour week.

Mr. Abdul Tayeb Sheikh Khaderbhoy (*Commerce and Industry South*): May I ask whether 48 hours of work per week would be sufficient for the factory worker?

President : As I said I am giving the honourable member considerable latitude because he is the representative of organised labour. But under the guise of giving his support for the consideration of the Bill, he cannot argue his amendment.

Mr. P. N. Krishna Pillai : Sir, I do not want to go against rules and technicalities ; I am not entitled to circumvent the rules.

President : You are perfectly entitled to make attempts in that direction.

Mr. P. N. Krishna Pillai : Sir, if I am not going to discuss the quesion of restricting the hours of work in factories, I do not know what general principle of the Bill I am to advert to in this House.

President : Very little indeed.

Mr. P. N. Krishna Pillai : I submit, Sir, that a 48 hour week can very well be accepted by this House.

Sir, the fear was expressed in some quarters that, if we adopt the 48 hour week, our industries might migrate to other places. Sir, that is a fear without even a shadow of foundation. Because, at present, although our factories are having unrestricted hours of work, we do not find factories from British India or other places migrating into Travancore. Sir, two of our main industries, cashewnut and coir can work only in Travancore. They have been tried outside and failed. Even in Cochin where working conditions are similar to those obtaining here, it was a failure There is therefore absolutely no justification for the fear that our industries might migrate if we cut short the number of working hours.

Mr. Puthupally S. Krishna Pillai: What is the opinion of the Royal Commission on this matter?

Mr. P. N. Krishna Pillai : The majority report is in favour of 54 hours a week. But Dewan Chamanlal and Mr. Joshi, as also Mr. Chowdri, I think, have recommended 48 hours. Further, with regard to British India, the Royal Commission made their recommendation several years back, so that there is now strong agitation in British India for reducing the number of working hours. What I submit is that, in this matter also, if we take the lead, I am sure, with the present Ministry in Madras which is very sympathetic towards labour, they will immediately usher in a measure shortening the working hours. Certainly, we want industrial progress ; but such progress should be orderly progress based on contented labour. But if the workers are going to be persecuted and harassed...............

President : 'Persecuted', by passing a Bill which the honourable member himself welcomes ?

Mr. P. N. Krishna Pillai : I do not say, Sir, that they will be persecuted by this Bill ; I am merely referring to general principles of labour. It is accepted by all that, by lowering the hours of work, efficiency will increase. That is admitted by employers the world over. I would therefore appeal to the House to accept at least two of my amendments ... ...

President : The question of any amendment cannot now be raised. The House has nothing to do with the amendments now.

Mr. P. N. Krishna Pillai : I am only submitting, Sir, that the only two improvements necessary for this wholesome piece of legislation are the widening of the definition of factories and the shortening of the hours of work.

In conclsion, Sir, I endorse the principle of the Bill. I would once again submit that it was a very laudable attempt on the part of Government to have thought of bringing our factory legislation on a par with the British Indian Act.

The motion that the Bill be taken into consideration was put and carried.

President : With regard to the amendments, the objection under Standing Order 43 will prevail.

Clauses 1 to 81.

The question that Clauses 1 to 81 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

THE IRRIGATION REGULATION AMENDMENT BILL.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Travancore Irrigation Regulation Amendment Bill as passed by the Assembly be taken into consideration.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

Clauses 1 to 7.

The question that Clases 1 to 7 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Clause 8.

President: Mr. Ananthasiva Aiyar has sent in notice of an amendment on the 18th August. The objection under Standing Order No. 43 will prevail.

The question that Clause 8 to form part of the Bill was put to vote and carried.

The Clause was added to the Bill.

Clauses 9 and 10.

The question that Clauses 9 and 10 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE CRIMINAL LAW AMENDMENT BILL.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Travancore Criminal Law Amendment Bill as passed by the Assembly be taken up for consideration.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

Clauses 1 to 4.

The question that Clauses 1 to 4 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and the Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE COMPANIES REGULATION AMENDMENT BILL.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Travancore Companies Regulation Amendment Bill as passed by the Assembly be taken up for consideration.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

Clauses 1 to 362.

The question that Clauses 1 to 362 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

SCHEDULE.

The question that the Schedule do form part of the Bill was put to vote and carried.

The Schedule was added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE PUBLIC ACCOUNTANTS REGULATION AMENDMENT BILL.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Travancore Public Accountants Regulation Amendment Bill passed by the Assembly be taken up for consideration.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

Clauses 1 and 2,

The question that Clauses 1 and 2 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and the Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE ABKARI REGULATION AMENDMENT BILL.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Travancore Abkari Regulation Amendment Bill as passed by the Assembly be taken up for consideration.

Mr. K. Madhava Kurup: I second it.

Clauses 1 and 2.

The question that Clauses 1 and 2 do form part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. K. Madhava Kurup: I second it.

The motion was put to vote and carried.

The Bill was passed.

President: The official business before the House is over, and it is a matter for decision by the House whether it is to meet again for non-official business, tomorrow or on Monday.

Mr. Kottoor Kunjukrishna Pillai: The general opinion seems to be that we meet on Monday.

Mr. Kochikal P. Balakrishnan Tampi (*Krunagapally, Kartigapally and Ambalapuzha* cum *Shertalla*): I would also suggest that we meet on Monday.

Mr. M. Govindan (*Nominated*): I agree.

President: The House will now rise and meet again on Monday the 22nd instant at 11 A. M.

The House adjourned at 12-44 P. M.

A. GUNAMONY,

Secretary to the Sri Chitra State Council.

PROCEEDINGS
of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT*)

SECOND COUNCIL.

THIRD SESSION.

VOLUME XII—NUMBER 8.

THIRD SESSION 1938/1114.

Monday, the 22nd August 1938.

The Sri Chitra State Council met in the Victoria Jubilee Town Hall at 11 O' clock on Monday the 22nd August 1938, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., the President in the Chair.

MEMBERS SWORN.

Dr. K. P. Raman Pillai (*Ag. Surgeon-General.*)
Mr. P. Raman Pillai (*Ag. Conservator of Forests.*)

QUESTIONS AND ANSWERS.

Persons in Government service from Kunnatnad, Muvattupuzha and Devicolam taluks.

76. * **Mr. N. V. Chacko** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*) : Will the Government be pleased to lay on the table a list giving the number of persons serving in the various departments of the Government service from (*a*) the Kunnatnad, (*b*) Muvattupuzha and (*c*) Devicolam taluks?

Mr. C. O. Madhavan (*Ag. Chief Secretary to Government*): The trouble involved in collecting these statistics is out of proportion to the advantage derivable from them.

Mr. N. V. Chacko: May I know whether these taluks are properly represented in the view of Government?

Mr. C. O. Madhavan: Government have never thought of local representation in the public service.

Mr. N V. Chacko: May I know whether the number is too numerous or too few for preparing the statement?

Mr. C. O. Madhavan: Whether it is too numerous or too few has itself to be ascertained and Government have not done that.

Contradictory statements about the Kutta Vernacular Primary School.

77. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(a) how it was that two statements, one contradicting the other in some important particulars, happened to be published by the Government about the fall of the Kutta Vernacular Primary School in the Kunnatnad taluk;

(b) who supplied the Government with the correct details of the second statement; and

(c) who supplied the Government with the wrong details of the first statement?

Mr. A. Gopala Menon (*Ag. Director of Public Instruction*): The first Press Note was based upon statements made in a petition received from a resident of the locality signing on behalf of the people. The second Press Note was based upon detailed information authenticated by the Division Inspector of Schools, Muvattupuzha.

Mr. N. V. Chacko: May I know whether Government made any enquiry on the petition before issuing any statement?

Mr. A. Gopala Menon: The facts were stated on behalf of the people in a petition signed by a resident of the locality.

Mr. N. V. Chacko: May I know whether any enquiry was made regarding the statements in the petition?

Mr. A. Gopala Menon: The matter being urgent the statements made in the petition were relied upon, in the first instance.

Delay for holding the 3rd Session of the Council.

78. * **Mr. N. V. Chacko**: Will the Government be pleased to state why the third session of the present State Council was not held in 1113 before July 1938?

Mr. C. O. Madhavan: Ordinarily only three meetings are held in a year. There were already two meetings in 1113, one in Vrischikam and the other in Makaram. After that there was no business ready for the Council.

Mr. N. V. Chacko: May I know who was responsible for no business being ready for the Council?

Mr. C. O. Madhavan: Sir, no one is to blame for that. I think this matter was fully explained by me when the demand for the Legislative Bodies was moved.

Mr. K. R. Elankath (*Kalkulam and Vilavankod cum Neyyattinkara*): May I know whether there were not any bills ready after the Select Committee stage?

Mr. C. O. Madhavan: Sir, those bills could be got ready only after the present Legal Remembrancer took charge of his appointment.

Ayurvedic physicians in Kunnatnad taluk.

79. * **Mr. N. V. Chacko**: Will the Government be pleased to state whether there is any Ayurvedic physician receiving grant-in-aid in any of the southern pakuthies of the Kunnatnad taluk?

Mr. R. Krishnaswami Rao (*Ag. Secretary to Government*): The answer is in the negative.

Mr. N. V. Chacko: May I know whether there was any application from any Ayurvedic Physician for grant-in-aid?

Mr. R. Krishnaswami Rao: No, Sir.

Transfer of jurisdiction over Aikaranad and Chemmanad Pakuthies from the Muvattupuzha Munsiff's Court to Perumbavur Munsiff's Court.

80. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether there is a proposal to shift the jurisdiction over the Aikkaranad and Chemmanad pakuthies from the Muvattupuzha District Munsiff's Court to the Perumbavur District Munsiff's Court;

(*b*) how long these two pakuthies have been under the civil jurisdiction of the Muvattupuzha Munsiff's Court;

(*c*) whether the people of the Aikkaranad Pakuthi or of Chemmanad pakuthi have petitioned to the authorities for any transfer of jurisdiction;

(*d*) how long the Aikkaranad and Chemmanad pakuthies have been under the jurisdiction of the Muvattupuzha Munsiff's Court and from what year;

[Mr. N. V. Chacko.]

(e) how long these two pakuthies were under the Perumbavur Munsiff's Court and from what year to what year ; and

(f) whether the inhabitants of either the Aikkaranad or the Chemmanad pakuthies made any complaint when the civil jurisdiction over these pakuthies was transferred to Muvattupuzha ?

Mr. C. O. Madhavan : (a) No.

(b) From 1-3-1111.

(c) Yes.

(d) Two years and eight months from the 1st Thulam 1111.

(e) 23 years and 5 months from 1-10-1087 to 30-2-1111.

(f) No.

Mr. N. V. Chacko: May I know whether there was any application from the people of Aikkaranad praying that the civil jurisdiction over that pakuthi should not be transferred to the Perumbavur Munsiff's Court ?

Mr. C. O. Madhavan : Yes.

Mr. G. Narayana Aiyar (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): May I know whether any petition is pending praying that the jurisdiction over the people of Aikkaranad may be transferred back to the Perumbavur ?

Mr. C. O. Madhavan : There is no such petition.

Civil, Revenue, Magisterial and Police jurisdiction over Aikkaranad and Chemmanad pakuthies.

81. * **Mr. N. V. Chacko**: Will the Government be pleased to state :

(a) which Second Class Magistrate's Court has jurisdiction over the pakuthies of Aikkaranad and Chemmanad ;

(b) which police station has jurisdiction over these two pakuthies ;

(c) which Taluk Cutcherry has revenue jurisdiction over these two pakuthies ;

(d) which Munsiff's Court has civil jurisdiction over these pakuthies ;

(e) whether there are police stations at Alwaye, Perumbavur and Muvattupuzha ; and

(f) whether Alwaye, Perumbavur and Muvattupuzha are more easily accessible to the inhabitants of Aikkaranad and Chemmanad pakuthies than Edapally ?

Mr. C. O. Madhavan : (a) Stationary Second Class Magistrate's Court, Alwaye.

(b) Police Station, Edapally.

(c) Taluk Cutcherry, Kunnatnad.

(*d*) Munsiff's Court, Muvattupuzha.

(*e*) Yes.

(*f*) Chemmanad pakuthi is nearer to Edapally and Aikkaranad to Muvattupuzha than Alwaye and Perumbavur. There are only country roads connecting the two pakuthies with Alwaye and Perumbavur towns.

Mr. N. V. Chacko: May I know whether the people have not got to pass through a few police stations in the Cochin State before they reach Edapally?

Mr. C. O. Madhavan: Sir, I claim notice. I have no definite information on that point.

Mr. N. V. Chacko: May I know whether the police jurisdiction was transferred to Edapally without taking into consideration all these facts?

Mr. C. O. Madhavan: Sir, when an order is passed all relevant facts are naturally taken into consideration.

Transfer of Civil jurisdiction over Aikkaranad and Chemmanad pakuthies.

82. * **Mr. N. V. Chacko**: Will the Government be pleased to state whether there is any proposal to transfer the pakuthies of Aikkaranad and Chemmanad in the Kunnatnad taluk from the civil jurisdiction of the Muvattupuzha District Munsiff's Court to that of the Perumbavur District Munsiff's Court?

Mr. C. O. Madhavan: No.

Petition re: transfer of Civil jurisdiction over Aikkaranad pakuthi.

83. * **Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether they received a petition, dated 20th Mithunam 1113, from the inhabitants of the various *karas* in Aikkaranad pakuthi praying that the civil jurisdiction of the Muvattupuzha Munsiff's Court over the Aikkaranad pauthi should not be transferred to the Perumpavur Munsiff's Court;

(*b*) whether the High Court received a similar petition with the same prayers;

(*c*) the distance of the place in Aikkaranad nearest to the Muvattupuzha Munsiff's Court from that Court and the Perumbavur Munsiff's Court;

(*d*) the distance of the place in Aikkaranad remotest from the Muvattupuzha Munsiff's Court from that Court and the Perumbavur Munsiff's Court?

[Mr. N. V. Chacko.]

(e) the distance of the places in Aikkaranad nearest to and remotest from the Perumbavur Munsiff's Court from that Court and the Muvattupuzha Munsiff's Court.

Mr. C. O. Madhavan : (a) Yes.

(b) Yes.

(c) (i) 6 miles from Muvattupuzha.

(ii) 16½ miles from Perumbavur.

(d) & (e) (i) 16 miles from Muvattupuzha.

(ii) 10 miles from Perumbavur.

Petition from Mr. N. P. Varughese re : transfer of jurisdiction over Aikkaranad pakuthi.

84. * **Mr. N. V. Chacko** : Will the Government be pleased to state :

(a) whether they and the High Court received petitions from Mr. N. P. Varughese, B. A., B. L., President, Aikkaranad Agriculturists' Association, on behalf of the people of Aikkaranad praying that the civil jurisdiction over the Aikkaranad pakuthi may be continued as at present under the Muvattupuzha Munsiff's Court ;

(b) the area of the Aikkaranad pakuthi ; and

(c) the population of Aikkaranad ?

Mr. C. O. Madhavan : (a) Yes.

(b) 19·67 Square miles.

(c) 15,680 as per the Census of 1931.

Contract for supply of tyres for transport buses.

85. * **Mr. Nedumangad R. Kesavan Nair** (*Trivandrum and Nedumangad cum Chirayinkil*) : Will the Government be pleased to state :

(a) whether they have at present given any contract for the supply of tyres for the transport buses to any company, concern or individual, and, if so, whether they will lay on the table a copy of such contract ; and

(b) whether tenders have been called for such supply, if any ?

Mr. M. Govinda Pillai (*Ag. Secretary to Government*) : (a) The contract for the supply of tyres for the Transport Department has been given to Messrs. Ardeshir & Co., Tyre Factory, Madras. As the agreement is one that has been entered into between a commercial department and a business firm it cannot be placed on the table without the firm's approval.

(b) Enquiries were addressed to all companies dealing in tyres in India and the present contractor was the only one agreeable

to the supply of tyres on a mileage contract basis under which Government would pay to the supplier a predetermined rate pervehicular mile. Such a contract indemnifies the Government against tyre failure and ensures the provision of tyres at all times in a road-worthy condition.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government have advertised for the supply of tyres?

Mr. M. Govinda Pillai: Sir, as stated in the answer all well-known manufacturers of tyres were previously consulted before the agreement was finally decided upon.

Mr. Nedumangad R. Kesavan Nair: May I know whether it was a matter of consultation or advertisement which weighed with Government... ... ...

President: Order, order. The insinuation is out of order and the question is ruled out.

Mr. Nedumangad R. Kesavan Nair: May I know the companies to which Government sent communications?

Mr. M. Govinda Pillai: The exact number is not known but I may assure the honourable member that all well-known manufacturers of tyres in India have been consulted and their quotations were called for.

Mr. Nedumangad R. Kesavan Nair: May I know the date when such consultations were made?

Mr. M. Govinda Pillai: Before February, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know whether Messrs. Ardeshir & Co., offered the lowest quotation?

Mr. M. Govinda Pillai: Not only did they offer the lowest quotation but they were the only firm to agree to enter into a contract with the Government under which Government would pay to the supplier a pre-determined rate per vehicular mile.

Mr. Nedumangad R. Kesavan Nair: Could the honourable member mention the name of any other company or concern which was cousulted?

Mr. M. Govinda Pillai. I may say, the Dunlop Company.

Mr. Nedumangad R. Kesavan Nair: What was the quotation of the Dunlop Company per mile?

Mr. M. Govinda Pillai: They did not agree to this vehicular mileage rate to which the other firm agreed.

Mr. Nedumangad R. Kesavan Nair: Was the vehicular mileage rate fixed by Government or was it suggested by the company?

Mr. M. Govinda Pillai: It was decided in consultation with the company.

Mr. Nedumangad R. Kesavan Nair: Am I to take it that the Dunlop Company was not consulted for their mileage rate?

President: Order, order. The question is ruled out as it is an abuse of the right of questioning.

Mr. Nedumangad R. Kesavan Nair: May I know the amount that is offered by way of expense per mile?

Mr. M. Govinda Pillai: It is one anna four pies per mile.

Mr. Nedumangad R. Kesavan Nair: May I know the amount acceptable to the Dunlop Company?

Mr. M. Govinda Pillai: As I have already said they did not agree to any mileage rate.

Mr. Nedumangad R. Kesavan Nair: What was the nature of the consultation with the Dunlop Company?

President: Order, order. Communications between Government and the company are confidential and no questions in regard to them can be answered.

Tyres used for the transport buses.

86. * **Mr. Nedumangad R. Kesavan Nair**: Will the Government be pleased to state:

(*a*) the number of miles for which a tyre now used for the transport bus could be used;

(*b*) the number of tyres that are required for a transport bus;

(*c*) the cost price of one such tyre; and

(*d*) the number of transport buses that are now in service?

Mr. M. Govinda Pillai: (*a*) Approximately 6,000 miles.

(*b*) Six.

(*c*) Rs. 90 for one tyre and tube.

(*d*) Forty-eight on an average.

Mr. Nedumangad R. Kesavan Nair: May I know whether there is any guarantee or undertaking by the company that they would run a tyre for a fixed distance only?

Mr. M. Govinda Pillai: There is no such condition, Sir.

Mr. Nedumangad R. Kesavan Nair: Am I to take it that the company is entitled to run a tyre over and above the distance stated in the answer?

Mr. M. Govinda Pillai: Sir, the tyres are expected to be used for a mileage of 6000 and odd and if it is found defective, the company has either to repair it or renew it.

Mr. Nedumangad R. Kesavan Nair: Am I to take it that regardless of the change or repair of tyres, the company is allowed to run the tyres?

Mr. M. Govinda Pillai: Sir, the company is obliged to repair or renew the defective tyres before they have travelled 6000 miles. The agents of the company are already in Trivandrum to attend to this item of work.

Mr. Nedumangad R. Kesavan Nair: Does the Transport Department exercise any sort of supervison in the change of tyres?

Mr. M. Govinda Pillai: Sir, the repair and renewal of tyres are all subject to the approval of the Transport Superintendent.

Mr. Nedumangad R. Kesavan Nair: May I know when the Transport Superintendent is to examine the change of tyres?

Mr. M. Govinda Pillai: As soon as the Transport Superintendent feels that a tyre should be repaired or should be renewed, the company is bound to carry out the requisition of the Transport Superintendent.

Mr. Nedumangad R. Kesavan Nair: Am I to take it that after running 6000 miles a tyre could be allowed to run further by the Transport Superintendent?

Mr. M. Govinda Pillai: If it is road-worthy it would certainly be used.

Mr. Nedumangad R. Kesavan Nair: May I know from the honourable member whether the undertaking to purchase tyres from the company direct would enable Government to realise a higher profit?

Mr. M. Govinda Pillai: Sir, Government consider that the arrangement already entered into is more profitable than the one suggested by the honourable member.

Mr. Nedumangad R. Kesavan Nair: Are the Government aware that a tyre in the transport bus could be run for 15,000 miles?

Mr. M. Govinda Pillai: No, Sir, Personally and on behalf of Government I do not think that a tyre can be used for 15,000 miles.

Mr. Nedumangad R. Kesavan Nair: Have the Government verified the maximum distance which a tyre can run without being damaged?

Mr. M. Govinda Pillai: Ordinarily it will vary from 6000 to 9000 miles. That depends upon several conditions precedent.

Mr. Nedumangad R. Kesavan Nair : May I know from the honourable member whether Government have verified the maximum distance that a tyre used by the Transport Department can run?

Mr. M. Govinda Pillai : No, Sir.

Rule re security for sanctioning English Middle and High Schools.

87. ***Mr. N. V. Chacko** : Will the Government be pleased to state :

(*a*) whether they have recently made any rule or passed any order with regard to security in the matter of sanctioning English Middle and High Schools ;

(*b*) what the order or rule is ;

(*c*) what the order or rule was previously ;

(*d*) the reason for the change in the rule ;

(*e*) the object, purpose and aim that is meant to be gained or achieved by the change ; and

(*f*) whether the Government are granting concessions in the matter of security in the case of English Middle and High Schools in the country parts of Travancore ?

Mr. A. Gopala Menon : (*a*) Yes.

(*b*) That a cash deposit, to be supplemented by annual contribution, should be invested in the Savings Bank in the case of newly sanctioned schools, the total deposit for English Middle Schools being Rs. 2,000 and that for the English High Schools Rs. 5,000.

(*c*) That a financial guarantee on an 8 anna stamp paper should be given.

(*d*) & (*e*) As a safeguard for the stability of the institutions and their compliance with departmental orders—*vide* Rule 134 of the Education Code.

(*f*) No.

Mr. N. V. Chacko : May I know whether Government have considered the question whether such a condition for security will not affect the spread of education, especially in the rural and backward areas ?

Mr. A Gopala Menon : That question has not been raised hitherto.

Mr. N. V. Chacko : May I know whether there is a grievance that Rs. 2,000 to Rs. 5000 is penal and very high ?

Mr. A. Gopala Menon : Sir, that is a figure that has to be made up in course of time. It is not an amount which has to be deposited in a year or two.

Mr. K. R. Elenkath: May I know whether the respective amounts mentioned here are permanent deposits or whether money may be drawn out of them for purposes connected with the schools?

Mr. A. Gopala Menon: Money can be drawn out of them and reimbursed later on.

Mr. K. R. Elenkath: May I know whether there is any variation in the amount of the deposits in the case of schools which have permanent buildings and in the case of schools which have only temporary sheds?

Mr. A. Gopala Menon: Sir, that has not been brought to the notice of the Department.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagappalli Karugappalli and Ambalapuzha* cum *Shertallai*): May I know whether in view of the financial depression alround the Government will be pleased to consider the question of reducing the deposits required?

Mr. A. Gopala Menon: No objection has been raised so far in regard to the amount prescribed.

Increasing the productivity of the soil.

88. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) the total amount of yield of paddy in Travancore per year at present;

(*b*) whether the yield cannot be increased by increasing the productivity of the soil;

(*c*) whether any definite action is taken to increase the productive capacity of the soil to its maximum; and

(*d*) the approximate period within which the productivity of the soil can be increased to its maximum?

Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*): (*a*) No statistics are available about the quantity of paddy produced in the State from time to time. A rough estimate of the production alone can therefore be made. On an average the paddy lands in Travancore yield 75 *paras* or 15 cwts. of grain per acre and as the area under cultivation was 6,90,226 according to the latest statistics, the yield in the State may be roughly estimated at 10 million cwts.

(*b*) Yes.

(*c*) Yes.

(*d*) This will depend upon the kind of soil, climatic conditions prevailing and the extent to and the speed with which the improved methods are followed.

Mr. N. V. Chacko: May I know whether any statistics have been called for by the Department?

Mr. K. R. Narayana Aiyar: Yes, as far as possible.

Mr. N. V. Chacko: With reference to part (d) of the answer, if all the conditions that have been prescribed by the Department are satisfied what will be the approximate period within which the productivity of the soil can be increased to its maximum?

Mr. K. R. Narayana Aiyar: It may be attained even during a season.

Mr. K. R. Elenkath: May I know whether the experiments done by the Department through their experimental farms go to assure Government that if the ryots follow the methods adopted by the Department they can have the cultivation at a profit or at a loss?

Mr. K. R. Narayana Aiyar: The ryots will certainly derive profit by following the methods adopted by the Government.

Mr. K. R. Elenkath: May I know whether the cultivators have taken advantage of the experiments in the Demonstration farms?

Mr. K. R. Narayana Aiyar: Yes.

Mr. K. R. Elenkath: May I know the extent to which the productive capacity of an acre of land has increased as a result of following the experiments?

Mr. K. R. Narayana Aiyar: The relevant statistics are not available, Sir.

Conduetors appointed in the Transport Department.

89. ***Mr. T. Muhamed Ismail** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of graduate conductors appointed in the State Transport Department;

(*b*) the number of non-graduates so appointed;

(*c*) the number of Muslims who have applied for the post of conductors; and

(*d*) th number of Muslims appointed?

Mr. M. Govinda Pillai: (*a*) 95.

(*b*) 10.

(*c*) and (*d*) The Transport Department is conducted on a commercial basis without advertence to the rules in respect of recruitments to the public service and the question of appointments according to communities does not therefore arise.

Mr. T. Muhamed Ismail : With regard to parts (c) and (d) I merely asked the number of applicants and the number appointed but the answer is an explanation of the principle in making the appointments in the department. I wish to know from the honourable member the number of Muslims who have applied for the post.

Mr. M. Govinda Pillai : That information is not available. As I have already stated in the answer, the recruitment was made by the Transport Superintendent with due regard to efficiency and past experience.

Mr. T. Muhamed Ismail : I admit, Sir, that it is an explanation of the principle. But what about the number of Muslims who applied for appointment in the Transport Department?

Mr. M. Govinda Pillai : As I said already that information is not available with Government.

Mr. T. Muhamed Ismail : May I know whether any particular community is debarred from serving in the Commercial Department?

Mr. M. Govinda Pillai : There is no such prohibition, Sir.

Grants to physicians treating cases of snake-bites.

90. ***Mr. N. V. Chacko** : Will the Government be pleased to state :

(a) the number of deaths due to snake-bites in the taluks of (i) Kunnatnad and (ii) Muvattupuzha in each of the years 1110, 1111 and 1112 ;

(b) the number of physicians who can treat cases of snake-bites in the taluks of (i) Muvattupuzha and (ii) Kunnatnad ;

(c) whether Government give any grant-in-aid to any physician who is an expert in snake-bites in the taluks of (i) Kunnatnad and (ii) Muvattupuzha ; and

(d) if so, the number of such physicians?

Mr. R. Krishnaswami Rao : (a) and (b) Government have no information.

(c) No.

(d) In view of the answer to part (c), this does not arise.

Mr. N. V. Chacko : May I know whether it is the Government's view that it is unnecessary to give statistics relating to deaths due to snake bites?

Mr. R. Krishnaswami Rao: As the Vaidyans referred to are not connected with the Ayurveda Department they are not bound to furnish any statistics and hence it was not possible to give the figure.

Maximum yield of an acre of paddy land.

91. ***Mr. N. V. Chacko:** Will the Government be pleased to state:

(a) the amount of paddy that an acre of land in Travancore was made to yield by the best methods of cultivation known to the Department of Agriculture; and

(b) what the expenses of such cultivation come to per acre?

Mr. K. R. Narayana Aiyar: (a) 4000 lbs.

(b) The expenses of this particular cultivation exclusive of land tax came to about Rs. 36 per acre.

Mr. N. V. Chacko: May I know the value of the gross yield from an acre of land?

Mr. K. R. Narayana Aiyar: It will depend upon the prevailing price of paddy.

Vernacular Middle School for South Ariad.

92. ***Mr. Kochikal P. Balakrishnan Tampi:** Will the Government be pleased to state:

(a) the total strength of the South Ariad V. P. School in Ambalapuzha taluk, with the number of pupils in each of the four classes.

(b) whether they have received any representation from the people of the place requesting to raise the school to a V. M. School;

(c) if the answer to part (b) is in the affirmative, the orders passed thereon?

Mr. A. Gopala Menon:

(a)	399 ...	Class IV	....	79
		Class III	...	78
		Class II	...	123
		Class I	....	119

(b) No.

(c) This does not arise in view of the answer to part (b).

Award of grant to Balavaidyasala in Neeleeswaram.

93. ***Mr. G. Narayana Aiyar:** Will the Government be pleased to state:

(a) whether they have received a memorial, dated 23-8-1113, from the inhabitants of Manjapra, Manickamangalam and Kotakulangara pakuthies in Kunnatnad taluk for sanctioning a grant for a Balavaidyasala in Neeleeswaram *kara* in Manickamangalam pakuthi in Kunnatnad taluk;

(*b*) if so, when the same was received ; and

(*c*) what action was taken on the memorial ?

Mr. R. Krishnaswami Rao: (*a*) Yes.

(*b*) In April 1938.

(*c*) The matter is under enquiry by the Honorary Director of Ayurveda.

Yield of paddy lands in Kunnatnad, Muvattupuzha and Parur taluks.

94. ***Mr. N. V. Chacko**: Will the Government be pleased to state :

(*a*) the quantity of paddy yielded by an acre of the best quality of paddy land of (1) single crop (2) double crop and (3) *punja* varieties in (i) the Kunnatdad (ii) Muvattupuzha and (iii) Parur taluks ; and

(*b*) the quantity of paddy that an acre of such paddy land can be made to yield by the best methods of cultivation known to the Department of Agriculture in the three taluks mentioned above ?

Mr. K. R. Narayana Aiyar: (*a*) The approximate average yield of paddy in lbs. per acre of the best quality of paddy lands in the taluks is as follows :

	Kunnatnad.		Muvattu-puzha.		Parur.	
Single crop lands ...	1500	1800	1800	2000	1300	1500
Double crop land (for one crop) ...	1200	1400	1500	1700	1200	1400
Punja land ...	1000	1200	1200	1400	1000	1200

(*b*) By adopting scientific and improved methods of cultivation recommended by the Department of Agriculture such lands could be made to yield about 20 to 25 per cent. more.

Purchase of crude oil for State Transport.

95. ***Mr. M. K. Ananthasiva Aiyar** (*Nominated*): Will the Government be pleased to state :

(*a*) the price per ton of crude oil that they are purchasing for running the State Transport buses ;

(*b*) the company or companies from whom they make the purchase ;

(*c*) whether the price per ton of crude oil purchased by the Transport Department is higher or lower than the price at which such oil company or companies are selling to outsiders ;

[Mr. M. K. Ananthasiva Aiyar.]

(*d*) whether a considerably large quantity of crude oil is being purchased by the Kuttanad ryots annually for the purpose of draining out water from *punja* lands and *kayal* reclamations ; and

(*e*) whether the companies dealing in oils are supplying crude oil to certain estate owners and to the Tata Oil Mills, Cochin, at rates much lower than the rates at which they sell to other merchants and agriculturists ?

Mr. M. Govinda Pillai : (*a*) The Transport Department does not use crude oil. High-speed Diesel oil is used for running the buses. The contract price of high speed oil is 6 annas 3 pies per gallon for delivery at Ernakulam.

(*b*) Burmah Shell Oil Storage and Distributing Co., of India Ltd.

(*c*) This does not arise in view of answer to part (*a*)

(*d*) Yes.

(*e*) Government have no information.

Selection of members for the Text-Book Committee.

96 ***Mr. Nedumangad R. Kesavan Nair :** Will the Government be pleased to state the qualifications that weighed with them in selecting members for the present Text-Book Committee.

Mr. A. Gopala Menon : Representation of different branches of learning, interests and educational institutions.

Mr Nedumangad R. Kesavan Nair : May I know whether it was the intention of Government that the different branches of learning, interests, and educational institutions should co-exist in the selection of members for the Text Book Committee ?

Mr. A. Gopala Menon : No, Sir, not necessarily.

Mr. Nedumangad R. Kesavan Nair : May I know whether the members of the Text Book Committee have been selected on the sole criterion of their representing "interests" alone ?

Mr. A. Gopala Menon : No, not necessarily.

Mr. Nedumangad R. Kesavan Nair : May I know whether there is any member in the Text Book Committee who has not got any of these qualifications ?

Mr. A. Gopala Menon : I do not understand the question.

Mr. Nedumangad R. Kesavan Nair : May I know whether Government insist on the representation of the different branches of learning, interests and educational institutions existing at the same time when selection of members is made ?

Mr. A. Gopala Menon : It is not necessary.

Mr. Nedumangad R. Kesavan Nair: May I take it that a representative without learning or other qualification is admitted as a member of the Text Book Committee?

Mr. A. Gopala Menon: Yes.

Mr. Nedumangad R. Kesavan Nair: May I know the names of members selected as representatives of different branches of learning, other members selected as representatives of interests, and others selected representatives of educational institutions?

Mr. A. Gopala Menon: I have not got a full list of the representatives. Thirteen members are persons with recognised ability in the important branches of studies like English, Malayalam Mathematics, Science, Tamil, etc. The remaining members who represent various interests include persons of recognised ability in the various branches of learning. There are representatives of private schools and colleges; representatives from the Legislature representatives of authors, publishers journalists, etc., and representatives of some unrepresented communities.

Mr. Nedumangad R. Kesavan Nair: May I know whether representatives from the legislature were taken on that sole qualification?

Mr. A. Gopala Menon: Not on that sole qualification, but that combined with other things.

Mr. R. V. Thomas: (*Thodupuzha* cum *Meenachil*): May I know who are representing the various interests referred to in the answer?

Mr. A. Gopala Menon: The interests are communal interest, publishers' interest and authors' interests.

Mr. R. V. Thomas: May I know whether, in selecting representatives from the publishers' interest, learning is also taken into account?

Mr. A. Gopala Menon: Certainly. I have only said that the person need not necessarily possess all the qualifications at the same time.

Mr. R. V. Thomas: May I know, who are the members that represent the various interests on the Text Book Committee?

Mr. A. Gopala Menon: There are a number of persons representing them. They relate to authors, publishers and minor communities.

Mr. R. V. Thomas: May I know the specific names of the Text Book Committee members who represent those interests?

Mr. A. Gopala Menon: Can I read the names, Sir?

President: That is for the honourable member to decide,

Mr. A. Gopala Menon: It is not in public interest to read out the names.

Mr. K. R. Elenkath: Is not the proportion of members who are scholars nominated to the Text Book Committee larger than those who represent the various interests?

Mr. A. Gopala Menon: Yes.

Complaints regarding the Mavelikara bye-election.

***Mr. Nedumangad R. Kesavan Nair** Will the Government be pleased to state:

(*a*) whether any complaints have been made to them to the effect that Government officers were working against the State Congress candidate in the recent assembly election at Mavelikara; and

(*b*) if the answer to the above question is in the affirmative, what action has been taken in the matter?

Mr. C. O. Madhavan: (*a*) Some complaints have been received.

(*b*) The matter is engaging the attention of Government.

Mr. Nedumangad R. Kesavan Nair: May I know whether complaints have been received by Government stating that some Government officers were interfering in the Mavelikara bye-election against the State Congress Candidate?

Mr. C. O. Madhavan: Yes, such complaints have been received.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government had any definite attitude regarding that election?

Mr. C. O. Madhavan: No attitude, Sir.

Mr. Nedumangad R. Kesavan Nair: Are the Government aware that Mr. A. Sankara Pillai the State Congress candidate is the brother of Mr. A. Narayana Pillai?

Mr. C. O. Madhavan: That is a matter known to the member.

President: If the honourable member is inclined, he may answer it.

Mr. C. O. Madhavan: I know that fact as well as the member himself.

Mr. Nedumangad R. Kesavan Nair: May I know whether the complaints received on behalf of Mr. A Sankara Pillai against the Government officers were enquired into?

Mr. C. O. Madhavan : So far as the complaints were concerned, I may say that the Government received a large number of complaints by way of petitions and telegrams from parties interested on both sides. Government did not think it necessary to enquire into all the complaints received in that connection. Such of the complaints as deserved enquiry in the opinion of Government are being enquired into.

Mr. Nedumangad R. Kesavan Nair: May I know whether there was so much of accusation against officers in the alleged complaints sent up on behalf of Mr. P. Narayana Pillai as in the complaints sent on behalf of Mr. Sankara Pillai?

President : Let me know from the Chief Secretary whether there is any election petition in regard to that matter.

Mr. C. O. Madhavan : No, Sir.

Mr. Nedumangad R. Kesavan Nair: May I know whether the alleged petitions sent on behalf of Mr. Narayana Pillai, the opponent of Mr. Sankara Pillai the State Congress candidate, contained as many allegations against Government Officers that they influenced the voters against the State Congress candidate and so forth as the complaints sent by Mr. Sankara Pillai?

Mr. C. O. Madhavan : I am sorry I do not fully understand the meaning of the involved question.

President : Is it the honourable member's point that the question is of excessive length?

Mr. C. O. Madhavan Yes, Sir.

President : The honourable member will please note that, under Rule 11, sub clause (h) the question shall not be of excessive length. Therefore, the member will please modify his question.

Mr. Nedumangad R. Kesavan Nair : May I know whether the complaints that were raised on behalf of Mr. Narayana Pillai, the opponent of Mr. Sankara Pillai contained allegations against Government officers partaking in the election?

Mr. C. O. Madhavan : Complaints from both parties were received. But......

President: The honourable member's question is, who complained more against the Government officers. I think that was the question which he wanted to ask.

Mr. C. O. Madhavan : If so, I may say that I can give an answer only after making an exact calculation in the matter.

Mr. Nedumangad R. Kesavan Nair: I wish to know whether there was an unprecedented rush of Government officers to Mavelikara at the time of the bye-election?

Mr. C. O. Madhavan: The Government are not aware.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are aware of the pamphlet published by Mr. Pattom Thanu Pillai, President of the State Congress that the Government officers have interfered in the elections ?

President: Let me know from the Chief Secretary whether Mr. Pattom Thanu Pillai has sent any such letter to Government ?

Mr C. O. Madhavan: No such thing, Sir.

Mr. Nedumangad R. Kesavan Nair: There was a pamphlet published by Mr. Pattom Thanu Pillai in that connection. May I know whether the Government are aware of that pamphlet ?

Mr. C. O. Madhavan: No such matter was definitely brought to the attention of Government.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government have received a complaint stating that the Inspecter of Police, Mavelikara, assaulted at a place called Thatta a person who was supporting the State Congress candidate ?

President: Will the Police Commissioner please say whether he has received any such complaint.

Mr. M. Ramachandra Rao (*Ag. Commissioner of Police*): No such complaint has been received in the Police Department.

Mr. Nedumangad R. Kesavan Nair: May I know whether there were complaints of serious assaults on the supporters of the State Congress members by the Police ?

Mr. M. Ramachandra Rao: No Sir.

Mr. Nedumangad R. Kesavan Nair: May I know whether there were any allegations about the polling officers acting irregularly in respect of open votes when they were given in favour of Mr. Sankara Pillai ?

President: Will the Chief Secretary please say whether any such complaint has been received by Government.

Mr. C. O. Madhavan: No complaint has been received in regard to that matter.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government have received any complaint against the polling officers of "Vadakathukavu" V. M. School and "Thripperunthera" girl's V. P. School alleging certain irregularities in the matter of open votes that were given in favour of Mr. Sankara Pillai ?

President · I would draw the honourable member's attention to Rule 11 which says that no question shall be asked except under the following conditions, namely, it shall not contain arguments and it shall not be of excessive length. The honourable member will please follow the rules and put questions in an intelligible form.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are in receipt of information regarding the polling officers having acted irregularily in respect of open votes recorded in favour of Mr. Sankara Pillai?

Mr. C. O. Madhavan: No such complaint has been received by Government.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are aware of the assaults of Mr. C. Thomas and Mr. Bhaskara Panikkar of that place?

President: Will the Police Commissioner please say whether he has received any complaint regarding that matter.

Mr. M. Ramachandra Rao: No, Sir.

Mr. Kochikkal P. Balakrishnan Tampi: May I know whether any officer has been asked to make an enquiry into the matter?

Mr. C. O. Madhavan: Such of the complaints as deserved enquiry in the opinion of Government have been referred to the Dewan Peishkar, Quilon, for making necessary enquiries.

Mr. Kochikkal P. Balakrishnan Tampi: May I know whether there is any complaint stating that he had been the chief worker for Mr. P. Narayana Pillai?

Mr. C. O. Madhavan: No such complaint has been received by Government.

Complaints regarding the Koonan Anjily bund.

98. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(a) whether they have received petitions from the Rev. Father Gheevarughese Keeramkuzhi, B. A. and others, dated 18th January 1938, 4th Makaram 1113, 5th Makaram 1113 and 22nd January 1938 relating to the Koonan Anjily bund in the Kunnatnad taluk;

(b) whether the petitions pray that the bund at Koonan Anjily should be erected every year before the 5th Vrischikam;

(c) whether the petitions complain that, in 1113, the bund was erected by the Irrigation Department only in the month of Dhanu, thus allowing salt water to enter the paddy lands and destroy the existing cultivation and make the next two cultivations impracticable;

[Mr. N. V. Chacko.]

(*d*) whether the petitions pray for remission of tax of the paddy lands in which salt water entered by the late construction of the bunds and destroyed the cultivation ; and

(*e*) who is responsible for the delay in constructing the bund at Koonan Anjily this year ?

Mr. R. Krishnaswami Rao: (*a*) Yes. Two petitions, dated 18-1-1938 and 22-1 1938, were received.

(*b*) Yes.

(*c*) The bund was erected in 1113 only in Dhanu. But no salt water entered the paddy lands.

(*d*) Yes.

(*e*) No one can be held responsible as the monsoon rains extended up to the middle of Vrischikam this year and consequently the bund could be put up only early in Dhanu.

Mr. N. V. Chacko: May I know the extent of land benefited by that bund?

Mr. R. Krishnaswami Rao: 1860 acres of land on Travancore side and 741 acres on the Cochin side.

Maistries in the P. W. D.

99. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to lay on the table a statement showing:

(*a*) the total number of maistries who were serving in the P. W. D. in the year 1112, and the total of such maistries who have put in more than 15 years' service ;

(*b*) the total amount paid to them as salary or allowance in that year ;

(*c*) the average amount received by a maistry in the year 1112 ; and

(*d*) the source from which they are paid their pay or allowance ?

Mr. R. Krishnaswami Rao: (*a*) The total number was 953. Those with more than 15 years' service were 312.

(*b*) Rs. 2,06,723.

(*c*) Rs. 18 per mensem.

(*d*) Item contingency and petty supervision in the estimates for works and repairs.

Mr. K. M. Korah (*Vaikom, Kottayam and Changanacherry cum Peermade*): May I know whether those maistries are Government servants?

Mr. R. Krishnaswami Rao: They may be considered as Government servants in as much as they are allowed:

(1) 14 days casual leave.

(2) They are given gratuity allowance when they retire.

(3) Compassionate gratuity is paid to the heirs in case death occurs during service.

(4) The privileges of the Provident Fund rules are also extended to them.

Mr. K. M. Korah ; May I know whether they are entitled to pension ?

Mr. R. Krishnaswami Rao : No, Sir.

Mr. K. M. Korah : May I know whether the Government will be pleased to consider the granting of pension to those people also ?

Mr. R. Krishnaswami Rao : The suggestion may be considered by Government.

Income from P. W. D. and market tolls in 1111 and 1112.

100. ***Mr. Nedumangad R. Kesavan Nair** : Will the Government be pleased to give a statement showing the total amount realised by them by auction under tolls for roads and contracts for markets for 1111 and 1112 ?

Mr. C. O. Madhavan : A *statement giving the required information is placed on the table.

Mr. Nedumangad R. Kesavan Nair : May I know whether the amounts realised under tolls for roads and contracts for markets are not steadily on the increase ?

Mr. C. O. Madhavan : I have got the figures only for 1111 and 1112. The members can see from it that so far as the amount realised under tolls are concerned, it is on the decline while the amount realised from markets has gone up.

Mr. Nedumangad R. Kesavan Nair : May I know whether the Government are in receipt of successive complaints that market contractors are extracting higher rates than those prescribed from the people ?

Mr. C. O. Madhavan : I am not aware of any such complaint having been received by Government

Mr. Nedumangad R. Kesavan Nair : May I know whether the Government have considered the impossibility of the market contractors collecting fabulous amounts bidden by them if they levy only the prescribed fees from the people ?

Mr. C. O. Madhavan : The markets are disposed of in auction and the bidders are expected to know what they can realise and then offer their bids accordingly.

Mr. Nedumangad R. Kesavan Nair : May I know whether the Government have considered, before they auction a market to a contractor, the probable amount that he may be able to realise from the people if he levies only the prescribed dues from the people ?

**Vide* Appendix I page. 576.

Mr. C. O. Madhavan: That is more for the bidder than for the Government to consider.

Mr. Nedumangad R. Kesavan Nair: May I know whether the Government are aware that if the bidders bid for fabulous amounts they would not be able to realise the amounts they have deposited with the Government unless they coerce the people?

Mr. C. O. Madhavan: Rates have been fixed, and if the contractors realise more, people can complain.

Mr. Nedumangad R. Kesavan Nair: May I know whether Government exercise any sort of supervision in the case of collections made in markets?

Mr. C. O. Madhavan: No, Sir. Besides the general supervision there is no means of daily and constant supervision.

President: Are rates fixed?

Mr. C. O. Madhavan: Yes.

Mr. Nedumangad R. Kesavan Nair: In view of the fact that there is complaint that contractors extract money from the people, may I know whether Government have thought it fit to exercise more supervision in the matter of collecting market tolls?

Mr. C. O. Madhavan: The necessity has not arisen so far.

Mr. Nedumangad R. Kesavan Nair: May I know from the Government whether in the numerous petitions that have been received by Government it is not said that market contractors are collecting more money?

President: Has any petition been received by Government?

Mr. C. O. Madhavan: No, Sir. If the honourable member wants the number, I claim notice.

Mr. Nedumangad R. Kesavan Nair: May I know whether last year a deputation waited upon the Dewan complaining that market contractors are collecting money over and above the prescribed rates?

Mr. C. O. Madhavan: I am not in possession of that information now. I claim notice.

Civil and small cause suits pending in the Munsiffs' Courts at Muvattupuzha, Perumbavur and Parur.

101. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to lay on the table a statement showing:

(a) the number of civil as well as small cause cases filed in each of the District Munsiffs' Courts at Muvattupuzha, Perumpavur and Parur for the years 1111 and 1112 and till the end of Edavam 1113;

(b) the total number of cases now pending on the file in the said courts, inclusive of arrears in the three courts, separately;

(*c*) whether the revenue and criminal jurisdiction over the pakuthies of Aikkaranad and Chemmanad in Kunnatnad taluk are even now in Kunnatnad taluk whereas the civil jurisdiction alone is transferred to Muvattupuzha ; and

(*d*) is it a fact that the inhabitants of Aikkaranad and Kunnatnad pakuthies petitioned the Government for the transfer of their civil jurisdiction back to Perumpavur Munsiff's Court, and, if so, when such petition was received ?

Mr. C. O. Madhavan : (*a*) and (*b*) A *statement containing the information required is laid on the table.

(*c*) Yes.

(*d*) A representation, dated the 26th November 1937, was received by Government on the 1st December 1937, from the President of the Bar Association, Muvattupuzha, praying for a re-transfer of the pakuthies of Aikaranad and Chemmanad from the jurisdiction of the Perumpavur Munsiff's Court to that of the Muvattupuzha Munsiff's Court.

Mr. G. Narayana Aiyar: With reference to answer to part (*d*) may I know whether a petition has been received for re-transfer to the Perumpavur Munsiff's Court? The answer seems to be incorrect.

Mr. C. O. Madhavan : I apologise to the House. There is a mistake in the answer given. The correct answer is this. The President of the Bar Association, Muvattupuzha petitioned to the Government praying for the retention of the civil jurisdiction of the two pakuthies in Muvattupuzha Munsiff's Court and not to transfer it to the Perumpavur Munsiff's Court.

Mr. G. Narayana Aiyar : May I know whether any petition was received to transfer the jurisdiction of these pakuthies from the Muvattupuzha Munsiff's Court to the Perumpavur Munsiff's Court ?

Mr. C. O. Madhavan : No such petition has been received.

Mr. N. V. Chacko : May I know, whether any petition has been received from the people of Kunnatnad on this subject ?

Mr. C. O. Madhavan : I claim notice.

Mr. N. V. Chacko : May I know whether Kunnatnad Taluk is not under the jurisdiction of the Muvattupuzha Munsiff's Court ?

Mr. C. O. Madhavan : It does not arise out of this question.

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* *Vide* Appendix II. page — 577

Raising the level of the M. C. Road between the 144th and 145th mile.

102. **Mr. G. Narayana Aiyar**: Will the Government be pleased to state whether:

(a) the Main Central Road between the 144th and 145th miles is under water during a major part of the rainy season;

(b) the P. W. D. engage boats yearly for the public crossing that part of the road during the rainy season, and, if so, what is the annual amount spent for engaging boats by the P. W. Department; and

(c) they received memorials from the inhabitants of Kunnatnad taluk praying for raising the level of that road, and, if so, when such memorials were received and what action was taken by the Government in the matter?

Mr. R. Krishnaswami Rao: (a) Yes.

(b) Yes. Rs. 20-10-0 in 1112 M. E.

(c) Yes. A petition dated 19-9-1113 M. E. has been received by Government and the matter is under consideration.

Complaints against the Head Constable and other constables of the Perumpavur Police Station.

103. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(a) whether the Commissioner of Police received a petition on the 29th Kanni 1113 from one Iravi Narayanan Karthavu in Katayirippu Kara, Aikkaranad pakuthi, complaining of unlawful treatment accorded to him on 3-2-1113 by the Head Constable and some other constables of the Perumpavur Police Station and also complaining that these constables are likely to cause grievous injury to him in future;

(b) whether any action has been taken on that petition;

(c) if so, what action; and

(d) if not, why?

Mr. M. Ramachandra Rao: (a) Yes.

(b) Yes.

(c) Enquiries were made and the allegations were found to be false.

(d) This does not arise in view of the answer to part (c).

Mr. N. V. Chacko: May I know how long it was after the petition was received that the enquiry was finished?

Mr. M. Ramachandra Rao: It was finished in three weeks.

Failure of crops due to drought.

104. ***Mr. N. V. Chacko** : Will the Government be pleased to state :

( ) the average amount of failure of crops during every year owing to drought in the taluks of Kunnatnad, Muvattupuzha and Parur ; and

(*b*) whether they have any scheme for preventing the failure of crops in future owing to drought in these taluks?

Mr. C. O. Madhavan : (*a*) No accurate statistics are available.

(*b*) Yes.

Mr. N. V. Chacko : May I know the nature of the scheme under consideration ?

Mr. C. O. Madhavan : There are several items of work of local utility being considered and undertaken. Besides, there is a scheme for irrigating fields by lift irrigation as soon as the Pallivasal Hydro Electric Scheme is completed.

Construction of a new building for the Perumpavur Munsiff's Court.

105. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state:

(*a*) whether it is a fact that a sum of Rs. 18,680 has beeen sanctioned as early as 17th March 1915 for the construction of a new building for the Perumpavur Munsiff's Court ;

(*b*) whether there have been cases of theft by breaking open doors in Munsiff's Court building at Perumpavur in the years 1110 to 1113 ;

(*c*) whether the High Court have recommended to the Government on many occasions that the Munsiff's Court building is unsafe, ill-ventilated and not spacious enough and that a new building has to be put up without delay.

(*d*) how many times the High Court has recommended like this ; and

(*e*) what action was taken by the Government on the recommendation of the High Court mentioned above?

Mr. M. Govinda Pillai: (*a*) Yes.

(*b*) There have been two attempts at theft.

(*c*) Yes. The High Court have also recommended urgent improvements to the existing building.

(*d*) Twice.

(*e*) The estimate for the construction of a building for the Munsiff's Court at Perumpavur was first sanctioned, but since then the question of the construction of a building to house all the

[Mr. M. Govinda Pillai.]

Public offices at Perumpavur in one building has been under consideration. In the meanwhile, an estimate for Rs. 3,200 for effecting improvements to the existing Munsiff's Court building at Perumpavur has been sanctioned and is awaiting execution.

Mr. G. Narayana Aiyar: With reference to answer to part (*b*) may I know whether there were actual cases of theft committed ?

Mr. M. Govinda Pillai: Yes, one in 1112.

Mr. G. Narayana Aiyar: May I know whether it was detected ?

Mr. M. Govinda Pillai : The information is not available with Government.

Departments to which the standardisation scheme was not made applicable.

106. ***Mr. G. Narayana Aiyar** : Will the Government be pleased to state:

(*a*) the respective dates when the standardisation scheme was brought into force in the various departments in the State;

(*b*) whether arrears of pay as per the standardisation scheme was not sanctioned to any of the departmental servants from the date when the scheme came into force, and, if so, in what all departments ;

(*c*) what will be the amount that will have to be paid to the servants of the Judicial and Education departments as arrears of salary if the scheme is given effect to from 1-10-1110.

(*d*) who is responsible for the delay in the sanctioning of the scheme so far as the Judicial and Education departments are concerned and what are the causes for the delay ; and

(*e*) whether they have issued orders directing that back arrears of salary due to the employees in the Judicial Department need not be paid for the period from 1-10-1110 to the end of Audy 1112, and, if so, what were the reasons for such an order and what will such arrears amount to?

Mr. K. J. Cheriyan (*Ag. Financial Secretary to Government*) : (*a*) A * statement showing the respective dates when the standardisation scheme was brought into force in the various departments in the State is laid on the table.

(*b*) Arrears of pay were not allowed in the following cases:—

Judicial Department: (Non-gazetted Staff.)

Education Department.

Public Works Department. Supervisors, Overseers and Draftsmen.

*Vide appendix III pages 578-579.

(c) It is not possible to estimate the amount payable as arrears of salary, as arrear bills have not been received. But in view of the large number of officers' concerned, the expenditure is expected to be heavy.

(d) There was no avoidable delay in the sanctioning of the scheme as certain administrative matters had to be settled in detail before the scheme could actually be given effect to.

(e) Yes; on account of the heavy expenditure involved in the matter, vide answer to part (c).

Mr. G. Narayana Aiyar: With reference to answer to part (b) may I know why arreas were not given to all the Departments?

Mr. K. J. Cheriyan: Arrears were given to those Departments whose Heads had recommended for the same.

Mr. G. Narayana Aiyar: May I know what is the test of ascertaining whether a man is entitled to arrears? Is it his service in a particular Department? Is it due to the delay for the recommendation or for the passing of the Government Order?

Mr. K. J. Cheriyan: Delay for the recommendation is the main cause.

Mr. G. Narayana Aiyar: May I know whether Government have not admitted in their order that non-gazetted officers in the various Departments are not entitled to increase of pay from 1-1-1110?

Mr. K. J. Cheriyan: Back arrears were not allowed as per Government Order, on account of the fact that there would be heavy expenditure.

Mr. G. Narayana Aiyar: May I know whether the question of heavy expenditure affected only in the case of Judicial, Education and Public Works Departments and not in the case of other Departments?

Mr. K. J. Cheriyan; In the case of the Departments referred to by the member the amounts involved are big.

Rainfall in Travancore.

107. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(a) the average rainfall for Travancore during every five consecutive years for the last 35 years;

(b) whether the rainfall is increasing or decreasing; and

(c) the causes for such increase or decrease in the rainfall?

Mr. C. O. Madhavan: (a) A *statement furnishing the total average rainfall in respect of 4 typical stations with long and continuous records for the period asked for is laid on the table.

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*Vide appendix No. IV page 580.

[Mr. C. O. Madhavan.]

(*b*) The rainfall is neither steadily increasing nor decreasing but fluctuating with a rough periodicity of 11 to 12 years.

(*c*) The cause of such fluctuations is to be ultimately traced to fluctuations of solar radiation. These constitute a regular feature of world weather.

Mr. N. V. Chacko: May I know whether Travancore has more rain or less rain than is beneficial to the country?

Mr. C. O Madhavan: That is a matter of opinion. From my own experience I may say that some itmes when we want rain it does not come and sometimes when we do not want there is rain.

Mr. N. V. Chacko: I am asking for an average.

Mr. C. O. Madhavan: It cannot be said that Travancore is having more rain or less rain than is wanted.

Memorial from the copyists of the Judicial Department re their status and pay.

108. ***Mr. N. V. Chacko**: Will the Government be pleased to state:

(*a*) whether they or the High Court received a memorial from the copyists of the Judicial Department praying (i) that their pay may be increased, (*ii*) that their pay may be regulated on scale and (*iii*) that their status may be improved, etc.;

(*b*) whether any action has been taken on the memorial; and

(*c*) if so, what it is?

Mr. M. Govinda Pillai: (*a*) Memorials from the copyists of the Judicial Department containing the prayers referred to by the member were received by the High Court and they have been forwarded to Government.

(*b*) and (*c*) The question is under the consideration of Government.

Estimate for the Changanacherry Travellers' Bungalow.

109. ***Mr. K. M. Korah**: Will the Government be pleased to state:

(*a*) whether they have made any estimate of the Changanacherry Travellers' Bungalow; and

(*b*) if the answer to part (*a*) is in the affirmative, whether any further step has been taken after the estimate?

Mr. R. Krishnaswami Rao: (*a*) Yes.

(*b*) No; for want of funds.

Mr K. M. Korah: May I know the amount of the estimate?

Mr. R. Krishnaswami Rao: About Rs. 11,700

Mr. K. M. Korah: May I know from the honourable member whether Government are convinced of the urgent necessity of having a Travellers' Bungalow at Changanacherry?

President : It is a question of intention of Government.

Agreement with Messrs. Harvey and Co., re the Punalore Paper Mills.

110. ***Mr. G. Narayana Aiyar** : Will the Government be pleased to state :

(a) whether any agreement was entered into with Messrs. Harvey and Co., for handing over charge of the Punalore Paper Mills;

(b) if so, when the agreement was entered into ;

(c) what are its terms ; and

(d) whether they will lay a copy of the agreement on the table ?

Mr. C. O. Madhavan : (a) Government have no information regarding the agreement, if any, that may have been entered into between the Punalore Paper Mills and Messrs. Harvey and company

(b), (c) and (d) in view of the answer to part (a), these do not arise.

Muslim Sub-Assistant Surgeons.

111. ***Mr. T. Muhamed Ismail** : Will the Government be pleased to state :

(a) the number of places in the cadre of Sub-Assistant Surgeons in the Medical Department ;

(b) the number of Muslim Sub-Assistant Surgeons ;

(c) whether any qualified Muslim has applied for the post of a Sub-Assistant Surgeon : and

(d) if the answer to part (c) is in the affirmative, will they be pleased to furnish a statement, by caste, of the number of appointments made in that cadre after the date of application of the Muslim candidate and the qualification of each so appointted ?

Mr. K. P. Raman Pillai : (a) 86.

(b) None.

(c) Yes.

(d) A * Statement, by community is laid on the table.

Mr. T. Muhamed Ismail With reference to answer to part (c) may I know how many Muslims have applied ?

Mr. K. P. Raman Pillai : One.

Mr. Muhammed Ismail : May I know his qualifications ?

Mr. K. P. Raman Pillai : He is L. M. P.

Mr. T. Muhamed Ismail : May I know why this one Muslim applicant is not entertained even though 26 other appointments were made after his application ?

Mr. K. P. Raman Pillai : The Public Service Commissioner did not recommend his name.

**Vide* Appendix V—page 581.

Mr. T. Muhamed Ismail: May I know whether an L. M. P. non-Muslim is more qualified than an L. M. P. Muslim

Mr. K. P. Raman Pillai: They are equally qualified.

Mr. K. R. Elankath: May I know whether those appointed had acted before or whether they were fresh hands ?

Mr. K. P. Raman Pillai: They had acted previously.

Mr. M. S. Anirudhan (*Karunagapalli, Kartikapalli, and Ambalapuzha* cum *Shertalla*) : May I know why the Ezhava candidate who has acted before is not appointed ?

Mr. K. P. Raman Pillai: I claim notice.

Mr. M. S. Anirudhan: May I know whether he is in service now ?

Mr. K. P. Raman Pillai: I claim notice.

Construction of a bridge at Palai.

112. ***Mr. R. V. Thomas**: Will the Government be pleased to state ;

(*a*) in which year the construction of a bridge at Palai was sanctioned by Government ;

(*b*) in which year the amount sanctioned for the bridge was first included in the budget ;

(*c*) when the actual construction of the bridge was begun ; and

(*d*) when it was washed away by the floods ?

Mr. R. Krishnaswami Rao: (*a*) 1916 A. D./1092 M. E.

(*b*) 1099 M. E.

(*c*) 1101 M. E.

(*d*) 1104 M. E.

Mr. R. V. Thomas: May I know when the Government intends to construct the bridge ?

Mr. R. Krishnaswami Rao: When funds permit.

Measures to improve the price of cocoanuts.

113. ***Mr. K. M. Korah**: Will the Government be pleased to state whether they have made any representations to the Government of India relative to improving the price of cocoanuts produced in India and also to state the nature of the action taken by the Government of India on these representations ?

Mr. C. O. Madhavan: Yes. A deputation waited on the Honourable the Commerce Member, the Honourable the Finance Member and the Honourable Member for Lands, Health and Education, of the Government of India, and discussed with them the various aspects of the question of affording adequate protection to the cocoanut industry. The deputation furnished necessary facts

and figures to prove the urgent necessity for the protection of the industry and submitted a note setting forth the arguments for protection. In the course of the discussion the Honourable Members asked for some additional data which were not available at the time. Dr. Kunjan Pillai, after his return from Simla, had these data collected and prepared another note which is being transmitttd to the Government of India. From what is stated above, it will be seen that the question of giving adequate protection to the cocoanut ndustry is under the consideration of the Government of India.

Complaint against certain members of the Reserve Police.

114. ***Mr. N. V. Chacko**: Will the Government be pleased to state :

(a) whether their attention has been drawn to an article published on page 8 of the morning edition of the "Malayala Manorama" dated 1st January 1938, in which reference is made to a petition to the Commissioner of Police signed by 15 persons in the Muvattupuzha taluk complaining that they were outrageously and atrociously treated by some members of the Travancore reserve police ;

(b) whether they have made an enquiry into the matter ;

(c) whether any action has been taken against the members of the reserve police against whom complaints of such inhuman and brutal conduct have been made ;

(d) the names of the members of the reserve police against whom the complaints referred to above have been made :

(e) the name of the officer of the reserve police, under whom these members of the reserve police against whom the complaints are made, are placed ;

(f) whether acts equally heinous and wicked have not been committed by members of the reserve police against innocent people of the northern frontier taluks on many a peavious occasion ;

(g) what action they have taken to punish such offences and prevent the repetition of their offences and crimes ; and

(h) whether any of the Excise C. I. D. people or informers are involved in the committing of the offences referred to in (a) and (‹) above?

Mr. M. Ramachandra Rao : (a) Yes.

(b) Yes ; the enquiry disclosed that the allegations were mischievous and false.

(c) This does not arise in view of the answer to part (b)

(d) Chellappan Pillai,
Kolappan Pillai,
Nilakanta Pillai and Bhaskara Pillai.

[Mr. M. Ramachandra Rao.]

(*e*) Mr. Syed Usman.

(*f*) No.

(*g*) and (*h*) These do not arise in view of the answer to parts (*a*), (*b*) and (*f*)

Mr. N. V. Chacko: May I know how long it took for the Department to finish the enquiry?

Mr. M. Ramachandra Rao: A month and a half.

Mr. N. V. Chacko: May I know who conducted the enquiry?

Mr. M. Ramachandra Rao: The District Superintendent of Police.

Mr. N. V. Chacko: May I know whether the people of the locality were examined?

Mr. M. Ramachandra Rao: I claim notice.

Road connection between Alleppey and Changanacherry.

115. ***Mr. M. K. Ananthasiva Aiyar**: Will the Government be pleased to state:

(*a*) whether there is a proposal to connect Alleppey with Changanachery by road; and

(*b*) what action have they taken in the matter?

Mr. R. Krishnaswami Rao: (*a*) Yes.

(*b*) It is being investigated.

Mr. M. K. Ananthasiva Aiyar: May I know whether the line for the road has been fixed?

Mr. R. Krishnaswami Rao: Yes, Sir,

Mr. M. K. Ananthasiva Aiyar: May I know whether the Chief Engineer has made a personal inspection of the place?

Mr. R. Krishnaswami Rao: I claim notice.

Expiry of the lease to the Kannan Devan Hills Produce Company.

116. ***Mr. K. M. Korah**: Will the Government be pleased to state when the term of the lease to the Kannan Devan Hills Produce Company will expire?

Mr. M. Govinda Pillai: According to the deed of ratification and the agreement, dated 2-8-1886, between the company and the Government, the lands granted to the Kannan Devan Hills Produce Company within the concession area are to be held in perpetuity as heritable or transferable property.

In-patients and out-patients treated in the Lalom District Hospital in 1111 and 1112.

117. ***Mr. R. V. Thomas**: Will the Government be pleased to state:

(a) (i) the total number of in-patients treated in the Lalom District Hospital during the years 1111 and 1112;

(ii) the highest number of in-patients treated in the Hospital on any day during the years 1111 and 1112;

(iii) the average number of in-patients treated per day in the year 1112;

(iv) the total area of the ward-rooms in the Hospitals; and

(v) the total number of beds provided; and

(b) the total number of out-patients treated in the Lalom District Hospital during the years 1111 and 1112?

Mr. K. P. Raman Pillai:

(a) (i) Total in-patients for 1111—470.
Do. 1112—474.

(ii) In 1111—33.
In 1112—32.

(iii) 21

(iv) 2172 sq. ft.

(v) 31

(b) 1111—46082.
1112—47460.

Mr. R. V. Thomas: With reference to answer to part (b) may I know whether the full time officer and the part-time officer are able to cope with the out-patient work?

Mr. K. P. Raman Pillai. One full time officer will be able to do the out-patient work.

Mr. R. V. Thomas: Then may I know why another part-time officer is appointed?

Mr. K. P. Raman Pillai: To help the full-time officer.

Paper-making industry in Travancore.

118. ***Mr. M. K. Ananthasiva Aiyar**: Will the Government be pleased to state:

(a) whether any action has been taken by them on the report of Mr. Bhargava regarding the possibilities of paper-making industry in Travancore; and

(b) whether they have come to any definite conclusions on the report, and, if so, what such conclusions are?

Mr. C. O. Madhavan: (a) The report of Mr. Bhargava is still under the consideration of Government.

(b) In view of the answer to part (a), this does not arise.

Estimate for the Alleppey-Changanachery Road.

119. ***Mr. K. M. Korah**: Will the Government be pleased to state whether any estimate of the Alleppey—Changanachery Road has been made?

Mr. R. Krishnaswami Rao: No. It is being investigated.

Commutation rates of paddy for Kandukrishi and Income tax purposes.

120. ***Mr. M. K. Ananthasiva Aiyar**: Will the Government be pleased to state what the commutation rates fixed are for paddy for purposes of (i) Kandukrishi taxation, and (ii) for income tax assessment?

Mr. M. Govinda Pillai: Commutation rates for paddy for purposes of:

I. Kandukrishi taxation.

Taluk.	*Rate per para.* Chs.	C.
Agastisvaram	19	6
Kalkulam	16	13
Neyyattinkara	18	6
Trivandrum	19	0
Ambalapuzha Changanacherry and Kottayam.	12	0
Kartikapalli Mavelikara and Tiruvalla.	13	8

II. Income tax—14 Chs. per para.

Mr. M. K. Ananthasiva Aiyar: In viev of the fact that 12 chuckrams is fixed for commutation rate in the Ambalapuzha Taluk, may I know why 14 chuckrams is fixed for income-tax purposes?

Mr. M. Govinda Pillai: These rates have been adopted by calculating the averages in respect of each Taluk for one year for the purpose of Kandukrishi taxtation and the average for the whole State for the purpose of income tax.

President: Mr. Eric Hall has given notice of a short notice question. He can ask supplementary questions if he wishes to do so.

Prevention of damages caused by wild elephants.

121. ***Mr. Eric Hall** (*Travancore Planters*): Will the Government be pleased to state:

(*a*) whether damages caused by wild elepheants on planting estates in Travancore are more frequent of late;

(*b*) whether there are adequate measures to prevent such damages ; and

(*c*) if not, will they be pleased to bestow their attention on the matter and take adequate steps to prevent such damages?

Mr. P. Raman Pillai: (*a*) Yes; since cultivation has gone to the interior forests forming the abode of these animals.

(*b*) Adequate measures such as digging trenches, putting up barbed wire fencing along elephant tracks, shooting blank cartridges, have been suggested to ward off possible damages. The Forest Department has been doing its best to prevent damages from wild elephants by conducting capturing operations, proscribing solitary rogues and firing rockets to scare them away.

(*c*) This does not arise in view of the answer to part (*b*).

Mr. Eric Hall: May I know whether Government received any report regarding the damages done to the Periyar estate by wild elephants?

Mr. P. Raman Pillai: Government have made enquiries.

Mr. Eric Hall: May I know whether Government have taken any steps to prevent damages done by wild elephants?

Mr. P. Raman Pillai: It was found that damage has been done. Estate owners were advised to take precautionary measures to prevent those damages. Government have done all they could in the matter.

Mr. Eric Hall: Is it possible to dig trenches round all these estates which suffer from attacks of wild elephants?

Mr. P. Raman Pillai: There are certain precautionary measures which the estate managers themselves can do. Wild elephants generally come through particular paths.

Mr. R. V. Thomas: With reference to answer to part (*b*) may I know whether Government have actually put up trenches?

Mr. P. Raman Pillai: Government have not undertaken any planting in the district. They have done all what is possible.

Mr. R. V. Thomas: I want to know whether Government have actually dug trenches, put up barbed wire fencing etc., in the planting districts?

Mr. P. Raman Pillai: It is for the planters to do that. Government have done all they could do.

UNSTARRED QUESTIONS AND ANSWERS.

Appointment of Excise Inspectors.

1. **Mr. T. Mahomed Ismail**: Will the Government be pleased to state:

(*a*) how many additional places of Excise Inspectors have been sanctioned by the recent re-organisation of the Excise Department;

[Mr. T. Mahomed Ismail.]

(*b*) how many Inspectors have been appointed by promotion from the department;

(*c*) how many have been appointed from outside the department;

(*d*) what are the qualifications prescribed for appointment of Inspectors in the Excise Department;

(*e*) what are the qualifications of those appointed as Inspectors from outside the department; and

(*f*) how many persons employed in other departments have applied for the Excise Inspector's post?

Mr. M. K. Nilakanta Aiyar (*Ag. Excise Commissioner*):

(*a*) 27.

(*b*) 22.

(*c*) 5.

(*d*) No special qualifications have been prescribed except the minimum one of S. S. L. C.

(*e*) One is an M. A. & LL. B. One is a B. A. & B. L. Three are holders of S. S. L. C.

(*f*) 3.

Statement, by caste, of Excise Inspectors newly appointed.

2. **Mr. T. Muhamed Ismail**: Will the Government be pleased to lay on the table a statement, by caste, of the Inspectors appointed in the Excise Department as a result of the re-organisation of the department?

Mr. M. K. Nilakanta Aiyar: A *statement is laid on the table.

Taluks having no Debt Conciliation Boards.

3. **Mr. K. R. Elankath**: Will the Government be pleased to state:

(*a*) the names of taluks which have not been brought within the jurisdiction of any of the Debt Conciliation Boards; and

(*b*) the reasons for the same?

Mr. C. O. Madhavan: (*a*) Nedumangad, Pathanapuram, Shencotta, Mavelikara, Karunagapalli, Kunnathur, Devicolam, Peermade, and Kartikapalli except the pakuthies of Kumarapuram and Veeyapuram.

(*b*) There is no special reason. The taluks of Mavelikara, Karunagapalli and Kartikapalli are proposed to be brought under the jurisdiction of the Boards shortly.

State Transport Department.

4. **Mr. K. R. Elankath**: Will the Government be pleased to state:

**Vide* Appendix VI—page 582.

(*a*) whether they have received any representation regarding overloading in buses run by the State Transport Department;

(*b*) whether the Police Department has any control as regards the traffic conducted by the State Transport Department;

(*c*) whether there is any Regulation to control the service run by the State Transport Department;

(*d*) whether the drivers whose licences and badges stand cancelled by the Traffic Police authorities have been appointed as drivers in the State Transport Department;

(*e*) whether preference has been given to drivers and conductors employed in companies that were running the motor services on the M. S. road, when recruitment was made to the Transport Department; and

(*f*) the number of fresh hands taken as drivers and conductors and their proportion to those referred to in part (*e*)?

Mr. M. Govinda Pillai: (*a*) No.

(*b*) No.

(*c*) Yes. The Travancore Motor Vehicles Regulation.

(*d*) No.

(*e*) Preference has been shown in the case of drivers, but in the case of conductors their qualification was found to be quite inadequate and hence they were recruited as parcel clerks.

(*f*) No fresh drivers were recruited.

Corruption among conductors in the State Transport Department.

5. **Mr. K. R. Elankath**: Will the Government be pleased to state:

(*a*) whether there has been any complaint of corruption or malpractice among conductors employed in the State Transport;

(*b*) if so, the nature of the corruption or malpractice; and

(*c*) the action taken against the offenders?

Mr. M. Govinda Pillai: (*a*) No,

(*b*) & (*c*) These do not arise in view of the answer to part (*c*).

Appendix I.

Vide Answer to Question No. 100

Statement showing the income from P. W. D. and market tolls in 1111 and 1112.

Amount realised under tolls for	1111	...	Rs. 6,37,250.
Do.	1112	...	Rs. 5,70,000.
Amount realised under contracts for markets for	1111	...	Rs. 85,481-5-0.
Do.	1112	...	Rs. 95,530-6-11.

Appendix II

***Vide* Answer to Question No. 101.**

Statement showing the number of civil and small cause suits filed in the Munsiff's Courts at Muvattupuzha, Perumpavur and Parur and the number of suits pending in the said courts.

Munsiffs Courts.	Filed during.						Pending at the end of Edavam 1113.	
	1111		1112		1113 up to end of Edavam.			
	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.
Muvattupuzha ...	1464	829	1225	866	901	662	1338	321
Perumpavur ...	859	738	775	686	571	449	1011	193
Parur ...	1159	649	903	562	641	350	1002	91

Appendix III.

Vide Answer to Question No. 106.

Statement showing the respective dates when the standardisation scheme was brought into force in the various departments in the State.

Name of Department.	Permanent		Temporary.
	Gazetted	Non Gazetted	
Land Revenue and Income Tax ...	16-10-35	30-3-36	22-6-37
Excise ...	7-8-35	7-8-35	
Forest ...	2-8-35	22-11-35	24-3-37
Stamps ...		11-10-35	
Registration ..	22-11-35	12-10-35	
Office of the Registrar of Joint Stock Companies ...		26-6-1935	
Secretariat ...	6-9-35	8-8-35	
Account Office ...	28-1-36	21-1-36	
High Court ...	19-6-36	19-4-37	
Subordinate Courts ...	19-6-36	19-4-37	
Jails ...	22-6-35	22-6-35	
Police ...	2-8-35	26-9-35	
Ports ...	13-7-35	13-7-35	
Education ...	8 5-36	21-5-36 25-3-37	
Agriculture and Fisheries ...	27-6-35	27-6-35	27-8-37
Industries ...	2-8-35	5-11 35	31-7-37
Medical ...	5-8-35	10-12-35	27-11-36
Public Health ...	26-9-35	26-9-35	
Devaswom ...	7-8-35	2-10-35	
Stationery ...	2-8-35	2 8-35	17-11-36
Government Press ...	1-7 35	1-7-35	9-7-37
Central Printing Office ...	29-6-35	29-6-35	
Museum, Zoo and Public Gardens ...	26-6-35	26-6-35	
Observatory (Astronomer) ...		2-8-35	
Photography Department ...	3-8-35	3-8-35	

Appendix III—(contd.)

Name of Department.	Permanent.		Temporary.
	Gazetted	Non Gazetted	
Public Library ...		17-6-35	
Archaeological Department ...	6-9-35	6-9-35	
Preservation of Oriental Manuscripts ...	25-7-35	25-7-35	
Victoria Jubilee Town Hall ...		10-8-35	
Public Works Department ...	2-8-35	26-3-37 } 18-8-37 }	26-6-37
Maramath ...	26-6-35	26-6-35	
State Guests ...	8-11-35	8-11-35	
State Forces ...	30-8-35	30-8-35	
Body Guard ...		27-8-35	
Water Works ..			18-9-37
Electricity ...	8-11-35	8-11-35	
Anchal ...	27-8-35		
Head Sircar Vakil's Department ...	4-10-35	4-10-35	
Addl. Head Sircar Vakil's Department ...	25-7-35	25-7-35	
Sircar Vakils Department ...	19-9-35	4-10-35	4-9-36
Economic Development Board ...		2-8-35	
Meteorological Department ...		3-8-35	4-9-36
Protector of Backward Classes ...	26-6-35	26-6-35	
Co-operative Department ...	3-8-35	3-8-35	
Stationary Magistrates ...	18-1-36		
Ayurveda College ...	17-2-36	17-2-36	
Inspector of Ayurveda ...	26-7-35	26-6-35	
Central Vernacular Records ...		6-12-35	
Land Mortgage Bank ...		17-1-36	

Appendix IV.

***Vide* Answer to Question No. 107.**

Statement of total average rainfall.

Station.		1903-1907 average.	1908-1912 average.	1913-1917 average.	1918-1922 average.	1923-1927 average.	1928-1932 average.	1933-1937 average.
Peermade (Residency)	...	218·6″	210·5″	206·9″	200·4″	220·6″	199·8″	192·8″
Chengannur (Magistrate's Court)	...	113·3″	111·6″	99	127·2″	128·0″	136·4″	112·3″
Trivandrum (Observatory)	...	71·8″	72·2″	66·2″	73·3″	78·2″	7· 5″	73·5″
Nagercoil (P. W. D. Office)	...	38·8″	36·5″	40·8″	45·1″	45·5″	41·9″	39·2″

Appendix V.

Vide Answer to Question No. 111.

Statement, by community, of Sub-Assistant Surgeons (men and women) advised for recruitment after 12th July 1937.

Community.	Men	Women	Qualifications
Brahmin ...	5	...	All L. M. P.
Nayar ...	3	2	All L. M. P.
Other Caste Hindu ...	1	...	L. M. P.
Ezhava ...	2	1	All L. M. P.
Other Hindu ...	... (Honorary)	1	L. M. P.
Jacobite ...	1	...	L. M. P.
Marthomite ...	4	...	All L. M. P.
Syriac Catholic ...	1	1	Both L. M. P.
Other Christian ...	2	1	2 L. M. P. 1 Diplomate, King Edward College, Lahore. 1919. Registered by Punjab Medical Council.
S. I. U. C. ...	7	1	7 L. M. P. 1 M. B. B. S.
Total ...	26	7	

Appendix VI.

***Vide* Answer to Unstarred Question No. 2.**

Statement, by caste, of newly appointed Excise Inspectors including the acting Inspectors.

I. Hindus.			26
1. Brahmins	...	2	
2. Nairs	..	16	
3. Ezhavas	...	4	
4. Other Hindus	...	4	
II. Christians.			6
1. Jacobite	...	2	
2. Syrian Catholic	...	3	
3. Latin Catholic	...	1	
III. Muslim.			1

NOTICES OF ADJOURNMENT MOTIONS.

President: I have received notices of four adjournment motions. Mr. P. I. Simon desires to move for the adjournment of the business of the House—

> "to draw attention to the serious situation caused by the reported negotiations between the Government and the Indian National Congress as to the Travancore State Congress and the civil disobedience campaign."

Will the Chief Secretary inform the House whether there are any such negotiations going on?

Mr. C. O. Madhavan: No, Sir, there are no such negotiations.

President: Therefore, the subject of the adjournment motion does not arise. It is ruled out of order on the ground that there are and have been no negotiations between the Indian National Congress and this Government as to the subjects referred to or any other subject.

Mr. Padiyara Joseph Kunju desires to move for the adjournment of the business of the House—

> "to discuss an urgent matter of public importance namely, the serious situation arising from the statement issued by Mrs. Kamala Devi Chathopadhya on the occasion of her visiting Trivandrum on 4-1-1114/20th August 1938 at the instance of some organisers of an association calling itself the All Travancore Youth League aided and financed by the members of the State Congress, in which she has instigated the people of Travancore to acts of violence by suggesting the revolutionary methods of Soviet Russia and by which she has inflamed the feelings of lawlessnes and sedition of a section of the people who on the same evening and thereafter have made wanton attacks on the established system of Government in the State, resorted to lawlessness and made riotous marches in the streets causing loss of property and injury to persons, and to urge upon the attention of Government the imminent necessity for taking immediate steps to prevent the spread of lawlessness in the State."

I should like to know from the Chief Secretary whether Mrs. Kamala Devi Chathopadhya is now in the State.

Mr. C. O. Madhavan: No, Sir, she has left the State.

President: There is another motion by Mr. R. V. Thomas—

> "I intend moving for the adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, namely, the serious situation created by the outrageous treatment accorded to Mrs. Kamala Devi on Saturday the 20th Augst in connection with her arrest and the subsequent removal from the State when the case against her stands posted under orders of Court to 22nd August 1938.

Will the Police Commissioner inform the House whether any case was filed against her?

Mr. M. Ramachandra Rao: No, Sir, no case is filed against her.

President: The statements in the motion are inaccurate, and the motion does not arise as the chief ground on which it rests is admittedly not substantiated. I rule it out of order.

There is one other notice of adjournment motion from Mr. Kottur Kunjukrishna Pillai. It runs as follows —

> "I beg leve to move for the adjournment of the business of this House for the purpose of discussing a definite matter of urgent public importance namely, the serious situation caused by the recent and regular assemblage of persons under the name of the All-Travancore Youth League prompted and supported by the Travancore State Congress culminating in the incidents of the 4th Chingom 1114 (20th August 1938) when in front of the Thampanoor Railway Station several such persons harangued the crowd and incited them to acts of violence and subsequently paraded the public streets assaulting Policemen lawfully employed in the discharge of their duties, wilfully overturning and damaging traffic posts and signals, destrying street lights, attacking and damaging public passenger-vehicles and pelting innocent passers-by with stones and causing diverse other injuries to life and property, and to urge on the attention of Government the imperative necessity of taking adequate measures to restore tranquility."

The motion proposed by Mr. Padiyara Joseph Kunju and the last one proposed by Mr. Kottur Kunjukrishna Pillai are more or less the same. Under the Rules, not more than on adjournment motion shall be moved on the same subject matter in one and the same sitting. Therefore, one of these two motions will be moved; and the other honourable member will of course have the mover's right to speak on it.

The motions are in order, and I ask whether the honourable member has the leave of the House.

Mr. Kottur Kunjukrishna Pillai: (*Quilon* cum *Kunnathur*): It is not objected to.

President: The motion of Mr. Kottur Kunjukrishna Pillai will be taken up at 3-30 this afternoon.

Legislative Business.—(Non-Official.)

THE TRAVANCORE HINDU INHERITANCE REMOVAL OF DISABILITIES BILL.

Mr. G. Narayana Ayar: I beg to move that the Bill as reported by the Select Committee be taken up for consideration. Certain changes have been made in the Bill with the unanimous approval of the Select Committee.

Mr. A. Easvara Pillai (*Kottarakara and Pattanapuram* cum *Shencottah*): I second it.

The motion was put to vote and carried.

Clauses 1 to 5.

The question that Clauses 1 to 5 do form part of the Bill was put to vote and carrie .

The Clauses were added to the Bill.

PREAMBLE AND TITLE.

The question that the Preamble and Title of the Bill do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. G. Narayana Aiyar: I beg to move that the Bill be passed.

Mr. Kottur Kunjukrishna Pillai: I second it

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE KRISHNANVAKA MARUMAKKATHAYAM BILL.

Mr. K. R. Elenkath: Sir, I rise to introduce the Travancore Krishnanvaka Marumakkathayam Bill.

Sir, it is nearly 14 years now since the major communities in the State that were having the Marumakkathayam system for their inheritance got Regulations enacted bringing about drastic changes in the law of succession, inheritance, marriage and its dissolution, and, more important than all, the partition of property. I do not propose to discuss here the principle of the Marumakkathayam system and its origin. It is now accepted on all hands that that is an antiquated system not suited to the present times. On account of the tightening of the marriage tie in these communities also, natural affection has turned towards ones' own issues from those of one's sisters'. It was this idea which prevailed upon the Legislature when it enacted the Nayar Regulation, the Ezhava Regulation, the Nanjinad Vellala Regulation, and the other Regulations on the lines of the Nayar Regulation.

Now, Sir, the Krishnanvaka Marumakkathayam community, although only a minority community, has been expressing its desire that it should also be given the benefit of provisions similar to those of the Nayar Regulation, and that they alone should not be put to the hardship of following the antiquated and unnatural system of Marumakkathayam, under which, even in very rich families, the Karanavan alone monopolised the whole property leaving very little to be enjoyed by the various members of the family. Sir, it is this that has been responsible for the Marumakkathayam law being substituted by enactments like the Nayar Regulation.

[Mr. K. R. Elenkath.]

Sir, once we provide for partition of tarwad property, it automatically follows that there should be the tightening of the marriage tie; and hence it is that in all these recent enactments governing the Marumakkathayam communities, the dissolution of marriage is made more and more difficult. Unless there is such tightening of the marriage tie, it would not be fair to give away his share to every member of a family, at the same time allowing him full right of disposal of such share of the property.

Sir, bearing in view all these points, the present Bill has been drawn up. The only deviation I have endeavoured to make is to fix the exact date on which the share of a person claiming partition is to be calculated. In other words, I have attempted to fix the exact time when a member of a family can claim partition. Sir, this change was necessitated by our experience of the actual working of the Nayar Regulation. Sir, when a suit for partition is filed, it should be made a definite rule that only the members actually in existence at the time of such suit, or notice of suit, who would be entitled to their *per capita* share of the family property. There should be no room for the tendency on the part of any member of the family to delay the partition. As it is, when a member moves for partition, there is procrastination in the actual effecting of the partition, because there is absolutely no definiteness as to the number of shares into which the family property is to be divided. Certainly if by delaying the partition a particular member stands to get for himself, or his branch of the family, a greater share of the family property, he would do everything in his power to put off the partition. Especially in the female line, knowing full well that the greater the number of children that a female member has the greater would be her share of the family property, interested parties will surely act as a hindrance to the partition being effected, and put all sorts of obstacles in the way. The moment a member sues for partition it should be made definite as to the number of shares into which the family property would be divisible. Then, of course, there would be no purpose served in any body delaying the partition indefinitely. It is with that object in view that I have made the provisions in sub-clauses (*b*) and (*c*) of Clause 39.

Mr. G. Narayana Aiyar: May I know from the member the trend of the rulings of our High Court in suits for partition of Nayar families? Is the number of shares to be fixed on the basis of the number of members existing on the date of suit, or on the date of decree?

Mr. K. R. Elenkath : The rulings are conflicting, and are not clear. In a full Bench decision Mr. Changanacherry Parameswaran Pillai, J., has expressed strongly that the actual effecting of partition should not be delayed on any account, and that the divided status and the individual share should be fixed as on the date of notice of partition.

The trend of the opinion of the Nayar Community, if the member wants to know that, is that, the date on which the partition is sought for should be judged as the criterion for sharing the properties *per capita*, because it would be of no good to any one to allow the members to increase and wait for an indefinite time when all these members can come to an agreement and effect a partition. The object of this legislation is to bring about as far as possible a decrease in litigation and to prevent from hindering the benefit of law from being given to the members of this community.

With these words I move the Bill.

Mr. James Fletcher (*Kalkulam and Vilavankod cum Neyyattinkara*): Sir, I second this Bill and support it on these reasons. This Krishnanvaka people are living mostly in South Travancore. They are a very enterprising community having mostly trade and agriculture for their profession. Ordinarily, they have got properties and a settled law regarding the disposition of their properties is necessary.

Mr. M. Govindan (*Nominated*): May I know the population of this Krishnanvaka community for whom the proposed legislation is brought forward ?

Mr. James Fletcher: I think it will be about a lakh and a half.

Mr. M. Govindan: Does the member mean 15,000 ? (*Laughter.*)

Mr. James Fletcher: Sir, I am subject to correction.

President: There is a slight defference (*Laughter.*)

Mr. Kochikal P. Balakrishnan Tampi: May I ask the member whether he means only four thousand ?

President: Order, order. The honourable member will proceed.

Mr. James Fletcher: Sir, I am not concerned with the number. I may state that they are a very enterprising community in South Travancore and as I submitted already, they are people having much landed estate in their possession. They naturally require some definite, and clear Regulation to effect the division of their properties. Till now they were following various systems with regard to the partition of their properties. Some people were following Makkathayam system of inheritance and others Marumakkathayam system, so much so there was always some difficulty an

[Mr. James Fletcher.]

confusion in the disposition of their properties. Much unnecessary litigation had to be carried on for the sake of division of their property and also questions of inheritance arose which brought about much loss and damage to the community. Therefore, a Bill of this sort is highly necessary, which will settle their system of inheritance and make matters easy for them to divide their ancestral properties. Therefore, I support this Bill. Though the population may be small, yet they need some law regulating the question of marriage succession and partition among the members of the community. I may say that even if the number is much less than a lakh and a half the Bill as is introduced now is necessary.

Mr. A Easwara Pillai (*Co-opted*): Sir, I wish to make a few observations on the Bill before the House.

Sir, the Bill sought to be introduced by Mr. Elenkath affects the community known as the Krishnanvaka community. Though the population is only 12,032 according to the last Census and 9,684 according to the previous Census, it was referred to by one of the honourable members as a lakh and a half. I think the honourable member may not be aware of the fact that the population is limited to 12,032 only according to the last Census.

Mr. M. S. Anirudhan: May I know whether there are Makkathayees?

Mr. A Easwara Pillai: Sir, I shall refer to that. When I said that the community consists of 12,032 members, I meant the community known by the name Krishnanvaka which includes the two sections, one following the Hindu Mithakshara Law and known as Makkathayees and the other following the Marumakkathayam Law of the State and are known as Marumakkathayees. The Marumakkathayees number a little more than one thousand. So, what I beg to state is that this Bill refers to about a 1000 Krishnanvaka Marumakkathayees of this State, that is about a twelfth of the total population of the Krishnanvaka community. This is a social legislation and the honourable members may consider whether a social Bill which affects about a thousand of the Krishnanvaka community is quite necessary. Leave has been granted and the Bill is sought to be introduced. Sir, this Bill when passed or when it becomes law it will affect the community as a whole. It is referred to in the latest Census Report by the learned Census Commissioner Dr. N. Kunjan Pillai.

President: I should like to know from Mr. Easwara Pillai whether he is opposing the motion or supporting it.

Mr. A. Easwara Pillai: Sir, I am placing a few facts for the consideration of this House and if necessary to oppose the introduction of this Bill.

Mr. M. S. Anirudhan: May I know whether the member belongs to the Makkathayam or Marumakkathayam group?

Mr. A. Easwara Pillai: Sir, I belong to the Makkathayam group.

President: Yes, the honourable member will proceed.

Mr. A. Easwara Pillai: Sir, in the latest Census Report there is a reference made to the exact position of the two sections of the community. I shall refer to a sentence in that report. It reads thus:

> "There is a move on the part of the younger generation of the two sections to bring about a fusion between them."

Sir, that is the actual state of affairs in the community. If the Bill comes into Law, the Marumakkathayam section will have no possibility of a fusion which is being tried by the younger generation of the community. The population is only twelve thousand and even among the one thousand Marumakkathayees there are a large number who does not like such a Bill.

Mr. K. R Elenkath: May I know from the member whether this legislation which is more akin to Makkathayam Law will not help the fusion?

Mr. A. Easwara Pillai: In my opinion, for a few people a Marumakkathayam Law just similar to the Nayar Regulation is not necessary. But another Bill which is more comprehensive and may include the Makkathayees as well as the Marumakkathayees may help fusion to a considerable extent. This piece of legislation does not help fusion; but on the other hand, it separates and affects a cleavage between sections.

Mr. James Fletcher: May I know whether the member is aware of the facts that the Nayar Regulation more or less converted the Marumakkathayam system into a Makkathayam system.

Mr. A. Easwara Pillai: Yes; I was saying that a similar system is not necessary in this case. A law affecting the Makkathayees as well as the Marumakkathayees will be more acceptable than the one that is now introduced, because this Bill makes a lot of difference between the two Sections of the Community.

Mr. G. Narayana Aiyar: May I know whether there is any move on the part of the Makkathayees to change the questions of inheritance?

Mr. A. Easwara Pillai: There is no move actually on the part of the Makkaathayees. But, when they were referred to it was their opinion that the solidarity of the Community would not be severed by such a new legislation.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether inter-marriage and inter dining take place between these two sections.

Mr. A. Easwara Pillai: No, there is no inter-marriage and inter-dining between them in the strict sense of the term.

Mr. K. R. Elenkath: Whether the member.........

President: Order, order; I may make mention to the honourable members that his trend of thought need not be interrupted. He may be allowed to proceed and honourable members may put questions after he has sat down.

Mr. A. Easwara Pillai: What I was stating was that the solidarity of the community will be destroyed if this Bill is introduced because one section of it, I mean, the one thousand will not have any connection with the others who follow Makkathayam.

Mr. Kochikal P. Balakrishnan Tampi: May know what connection exists between them at present?

Mr. A. Easwara Pillai: They have a common name and common descent.

Mr. Nedumangad R. Kesavan Nair: Excepting this common name, may I know whether there is any other bond of unity between these two sections?

Mr. A. Easwara Pillai: I may request the honourable members to refer to the Census Report, when in it is stated that they are one and the same community being originally Makkathayees. I shall for that purpose read one or two sentennces......

Mr. Nedumangad R. Kesavan Nair: May I know whether there are any bond of union excepting this common name.

Mr. A. Easwara Pillai: Yes; they are of the same family. That is what I say.

Mr. Kochickal P. Balakrishnan Tampi: May I know whether he considers the last Census Report as the authority on this question?

Mr. A. Easwara Pillai: Yes; my observation was based on this report in consideration of previous reports and the present position of the community.

Mr. Nedumangad R. Kesavan Nair: May I know whether any attempt at fusion was made between the two sections after the Census Report?

Mr. A. Easwara Pillai: Even while the Census Report was in preparation and after, there was actual attempt made for this fusion.

Mr. Nedumangad R. Kesavan Nair: May I know when was this report published?

Mr. A. Easwara Pillai: Some ten or twelve years ago. (*Laughter.*)

President: The honourable member will proceed.

Mr. A. Easwara Pillai : Sir, I mean, it was published eight years ago.

Mr. Nedumangad R. Kesavan Nair : May I know how far that trial has fructified ?

Mr. A. Easwara Pillai : I may assure the honourable member that since the community is not so educated such changes can only take place very gradually. My friend who comes from a progressive community cannot aspire to have immediate changes brought about in a community where the education is not so advanced among its members.

Mr. Kottur Kunjukrishna Pillai : May I know whether the Marumakkathayam Krishnanvaka Community is in favour of any legislation for them ?

Mr. A Easwara Pillai : There are ever so many legislations and as they are the loyal subjects of this State they are in favour them

Mr. Kottur Kunjukrishna Pillai : I want to know whether there are any social legislation affecting inheritance?

Mr. A. Easwara Pillai: Yes. Truly we wish to have a legislation affecting the whole community including the Makkathayees and the Marumakkathayees.

Mr. K R. Elenkath : May I know———

President : Order, order. I would deprecate such constant interruptions. The honourable member can note down the question and when the speaker has concluded, he can put those questions him. I don't want the honourable member to interrupt the continuity of thought and exposition of the speaker.

Mr. A. Easwara Pillai : Sir, I was saying that this House should consider whether a Bill which affects only a limited number that is to say about a thousand people who belong to the Krishnanvaka community is absolutely necessary at this juncture Sir, these families who comprise this small section were following the Marumakkathayam system. There were no difficulties whatsoever with regard to partition, marriage or any other functions pertaining to that system. Therefore I don't see any necessity to have a separate legislation for this small community. But if it is absolutely necessary, a law may be introduced. But I doubt whether there is actually any necessity for a Bill of this kind. Moreover this Bill if it becomes law may affect the fusion that is sought to be affected by the younger generation of the community. Therefore I oppose the introduction of this Bill.

Mr. K. R. Elenkath : May I know whether the same law is followed by the Makkathayees and Marumakkathayees of the Krishnanvaka community ?

Mr. A. Easwara Pillai: Sir, I was explaining to the House that the total number of the community comes to twelve thousand and about eleven thousand of them follow Makkathayam. And about one thousand follow the Marumakkathayam system now.

Mr. K. R. Elenkath: Is it not good to have the minority served by a separate law?

Mr. A. Easwara Pillai: If it could help the fusion of the minority section of the community as tried by the younger generation.

Mr. M. Govindan: Sir, I rise to oppose the motion of my honourable friend Mr. Elenkath. Sir, a new law is proposed to be introduced for a community numbering less than a thousand according to my friend who belongs to a very kindred community.

Mr. A. Easwara Pillai: I was referring that it is not less than thousand, but a little above thousand.

Mr. M. Govindan: Well, let it be a little above thousand and I thank my honourable friend for the correction. Let us suppose that a family consists of 50 members who form a tarward. Then it would work up about 20 tarwards which are affected by this legislation. And then again about 50 per cent. of these tarwards would possess properties. That is ten tarwards will only be practically affected by this bill. My honourable friend who unfortunately belongs to the kindred community is a follower of the Makkathayam system. I am sorry that in this House there is no one to represent the Marumakkathayam section of the community which is sought to be affected by the introduction of this bill.

Mr. Kochikal P. Balakrishnan Tampi: Sir, is the member in order in referring to the constitution of the House?

President: He can lament the absence of a representative.

Mr. M. Govindan: The honourable member Mr. Easwara Pillai himself is not certain whether the bill is not wanted.

President: The honourable member cannot make remarks in that manner because Mr. Easwara Pillai concluded his speech by opposing it.

Mr. M. Govindan: Sir, in Travancore we have got for almost every numerically important community, separate legislations. We have got six or seven such separate legislations in our Statute Book. All the minority communities are also getting separate pieces of legislation for them. So my submission is if such communities as the Krishnanvaka which are numerically very small are to be given separate legislations, then administration of justice will not be easy as the various subtle differences of law enjoined by different communities make complications. Sir, my friend Mr. Elenkath said that the community wants a legislation very similar to that of Nairs. If they want an exactly the same legislation pertaining to Nairs, why not have them by adding small amendments to the Nair Regulation itself and include these Krishnavakais in the Nair community.

Mr. Kottur Kunjukrishna Pillai: May I know whether it will not affect the claim of that community in regard to their appointment in the public service?

Mr. M. Govindan: My friend is not serious in putting that question and therefore I am not answering that. I have already pointed out that this complexity is uncalled for and unnecessary and needlessly hampers the administration of justice in the land. What I should propose is that in future we must have legislations for communities keeping in view the common interests of those communities so that one piece of legislation may affect the whole Travancoreans.

Mr. K. R. Elenkath: One question, Sir.

Mr. M. Govindan: I do not yield. My friend Mr. Kottur who has been interrupting me.......

Mr. K. R Elenkath: Sir, on a point of order. May I know whether it is propor for an honourable member to say that a question put by another honourable member was not in serious. Is it in order, to attribute that another honourable member was not serious in putting a question?

President: After all, on the question of the degree of seriousness which prompts an honourable member to put a question is not an easy one either for the Chair or for any other honourable member to ascertain.

Mr. M. Govindan: Sir, I did not say that he was not "in serious". But I said that the honourable member was not serious. My friend is imputing to me ungramatical observations. Sir, any piece of legislation that we attempt to place on the Statute Book must be in the direction of unifying the various sections and not with a view to perpetuate the existing differences. In Travancore most people who were following the system of Marumakkathayam have recently changed into Makkathayees Therefore a piece of legislation common to all the people of the State would be the proper thing for this House to attempt. But that may take some more time to bear fruition. Whatever that be, let us not proceed in the opposite direction and make special pieces of legislations for 20 or 30 families a piece. It is not proper to do so. I was just referring to my honourable friend Mr. Kottur Kunjukrishna Pillai's Bill *viz.*, the Civil Marriages Bill.

President: The honourable member is now discussing a bill intended for the Marumakkathayee Krishnanvaka community. So he is not relevant to speak on any other bill.

Mr. M. Govindan: Sir, I am relevant in this way. My suggestion is that we must make legislations with a view to unify the different communities of the State.

President: The discussion is not wholly relevant because we are in the preliminary stage that is we are to consider whether the bill should be introduced or not. The honourable member may make up his mind not to go into minute details.

Mr. M. Govindan: Sir, therefore I oppose this bill and say that it should not be referred to a Select Committee but should be thrown out by this House.

Mr. V. S. Arumukham Pillai (*Tovala* cum *Agasteesvaram*): Sir, in connection with this bill, I wish to make certain observations. Sir, this community known by the name of Krishnanvaka Marumakkathayee community as stated by Mr. Easwara Pillai is a very small community. Almost all other communities who were following Marumakkathayam system, like the Nairs, Vellalas and the Ezhavas found that that system was a great obstacle to the moral and the material growth of the respective communities and so they have done away with it. Sir, it is a fundamental principle of jurisprudence that the laws governing societies must be flexible. As communities advance and progress, as ideas and sentiments of communities change, it is necessary that the social laws also must change in order to keep in conformity with the changing ideas and sentiments. So far as this community is concerned, there is a feeling that this Marumakkathayam system stands in the way of progress. Naturally there has been some agitation to do away with this system. So far as this Bill is concerned, I support the principle to the extent that it attempts to do away with the Marumakkathayam system.

Sir, certain things have to be borne in mind when enacting a new social measure. We shall have to keep in view the needs and aspirations of the community, the ideas and sentiments of the community and, above all, in enacting such a measure, we, as responsible members of the Legislature have to see whether the proposed measure tends to the progress and the advancement of the community concerned. In the light of these things, if we examine the proposed measure, we find that the measure is wanting in many respects. Though I am in favour of a Bill for the community and I am in favour of doing away with the Marumakkathayam system obtaining in the community, yet I do not support the Bill as it is in its present form.

Sir, the Bill as it is, is a close copy of the Nair Regulation. As stated by Mr. Easwara Pillai, and I know it as a matter of fact, the Krishnanvaka Marumakkathayam community is a very small community, consisting of 1,000 and odd people. There was some difference of opinion in regard to the origin or the history of this community. As stated by my friend Mr. Easwara Pillai, this community consists of two sections and it is for one section of the community, namely the Marumakkathaya community that we are proposing this measure. But, as a matter of fact the two sections belong to the one community called the Krishnanvaka community. They trace their descent from a common ancestor and from a

common place. As a matter of fact, it is only one community. One section of the community following the Marumakkathayam law came earlier from Conjeevaram and because they had no women among them, they married local women and brought forth children and also adopted the Marumakkathayam system. Originally all the members of this community were following the Makkathayam system and the Marumakkathayam system was adopted by one section of the community only later on. In enacting a measure for this community we have to keep in view this aspect of the matter, namely, that these two sections belong to one and the same community and come from one and the same ancestor and that the Marumakkathayam system which one section is following was only a later adoption.

Mr. K. R. Elenkath : May I know from the honourable member whether on account of the fact that all humanity has descended from Adam and Eve, we should have only one law for all communities alike ?

Mr. A. Easwara Pillai ; May I know from the honourable member who was that common ancestor ?

Mr. V. S. Arumukham Pillai : My point is this, Sir. These two sections belong to one community. They come from one place. Originally they came from Conjeevaram. That is how tradition goes. Of course it is all history and tradition and we have to believe in these things. Anyhow, one thing is clear. Originally they were following Makkathayam. But when one section came here earlier they adopted the Marumakkathayam system. That is my point.

Mr. K. R. Elenkath : What about their customs and manners ?

Mr. V. S. Arumukham Pillai : I shall refer to their customs and manners. Sir, as I submitted, the present Bill is a close copy of the Nair Regulation. As a matter of fact, I know that there is, among the younger generation in both the sections, a desire to have a fusion between the two sections and in my opinion such a fusion will certainly tend to their progress. It will add to their strength and their prestige. When the needs and aspirations of the people and when the desire of the people are for fusion, we should as far as possible try to amalgamate these two sections. As I said, they originally belonged to one community and that only subsequently they had to adopt this Marumakkathayam system. Now there is a desire among them for fusion. According to the present Bill proposed by Mr. Elenkath the provisions relating to marriage and other things stand as an obstacle to that fusion. For

[Mr. V. S. Arumukham Pillai]

example we shall take the provision relating to marriage. According to the provision in the Nair Regulation, a Nair woman can marry from outside her community. Similarly there is a provision in this Bill also which enables a woman belonging to the Krishnanvaka community to marry anyone from outside the community.

Mr. K. R. Elenkath : Is not an advantage to the women of the community to have such marriages legalised ?

Mr. V. S. Arumukham Pillai : Whether it is an advantage or a disadvantage depends upon the sense of the community and in enacting a social piece of legislation, it is not our individual opinion or ideas that ought to prevail. It is the ideas and sentiments, the wishes and the aspiration, of the communities concerned that ought to be respected and not our opinions, however valuable they may be and however cultured they may be. I know as a matter or fact that marriages of women outside the community are very rare. Further, such marriages are looked down upon by the members of that community. When that is the case, when you enact a measure enabling women to marry from outside the community, that is not only going against the sentiments and the wishes of the community but also preventing a fusion of the two sections for all time to come.

Mr. K. R. Elenkath : Are there not marriages of Krishnanvaka women with non-Krishnanvaka men even at present ?

Mr. V. S. Arumukham Pillai : I said that such marriages are very rare and that such marriages are looked down upon by that community in general. Therefore, my point is that in enacting such a measure, we should keep in view the sentiments of the community with regard to that matter.

Mr. K. R. Elenkath : Is there any obligatory clause in the present Bill that Krishnanvaka women should marry from outside their community ?

Mr. V. S. Arumukham Pillai : Under the proposed measure the women of the community are at liberty to marry from outside the community. It is in the first place against the sentiments and ideas of the community and in the second place it is a great obstacle to a fusion between the two sections which is the aspiration of the younger generation in both the sections.

Again, Sir, unless there is facility for intermarriages between the two sections, a fusion between the two sections is not possible under any circumstance. Therefore, such important provisions as this ought to be changed. It is our responsible duty to ascertain the wishes and sentiments of the community in general and to enact provisions in accordance with those wishes and sentiments.

Another point that I wish to mention is about the partition of tarwad properties. Following the Nair Regulation my honourable friend the mover has advocated division per capita. Sir, the opinion in the community is divided in this matter. As in the case of the Nair community, as in the case of the Vellala community and as in the case of the Ezhava community, there is a clear division of opinion in this community also on this matter In the case of the Nairs the majority opinion was for division per capita and the Regulation was passed in accordance with the wishes of that community. In the case of the Vellalas the opinion was divided, and in the Legislature, as my friend Mr. Govindan lamented, there was a very small minority, only one or two members; naturally the voice of the majority members prevailed and they adopted a *via media*, half per stirpes and half per capita. Here also as in the case of the communities following the Marumakkathayam system the opinion is divided as to whether partition should be per capita or per stirpes. In regard to that matter also the opinion of the majority has to be ascertained and partition has to be effected in accordance with the opinion of the majority.

Sir, some interested persons may be very anxious to rush through the Bill with the sole object of getting a division of the properties. But we, the responsible members of the Legislature ought to pay particular attention to the needs and aspirations of the people and the wishes of the community.

Mr. A. Easwara Pillai : May I know whether the honourable member can mention any one who wants to rush through the Bill with a view to have partition in his family ?

Mr. V. S. Arumukham Pillai : Sir, I am aware, but I do not want to state the name of the person before the House. What I submit to the House is that it is our duty, as responsible members of the Legislature, to ascertain the opinion of the various members of the community and to enact a measure in accordance with their desires and aspirations and their ideas and sentiments. In regard to the partition, as to whether it should be per stirpes or per capita, I forgot to mention one fact. Under the present condition of things, *i. e.* in the absence of any enactment, by agreement of parties, they have been dividing the tarwad properties and the principle followed in the matter of division has been per stirpes and not per capita. That is a strong evidence of the existing customs of division in the community. So, in view of these facts I do not think that per capita division advocated in the Bill will be approved by the majority of the people in the community.

Whatever that might be, it is our duty to ascertain the opinion of the majority and to act in accordance with their opinion,

Mr. M. Govindan: May I know whether the member is proposing a roving commission to ascertain that matter ?

Mr. V. S. Arumukham Pillai; No, Sir. My friend who has been long in the Legislature knows the method for ascertaining the opinion of the community in general. The Select Committee may call for the members of the community to depose before the committee itself. That is the usual method.

Mr. M. Govindan: May I know whether the member is opposing or supporting the affirmation of the principle of the Bill ?

Mr. V. S. Arumukham Pillai: My position is this. I am supporting the principle of the Bill in so far as it relates to the doing away of the Marumakkathayam law. I do not support the other provisions in the Bill. All that I suggest is that the wishes and aspirations of the community ought to be ascertained before enacting a measure for the community concerned.

Mr. A. Easwara Pillai: Regarding the opinion of the community in general, may I know whether he advocates that method with regard to both the sections of the community.

Mr. V. S. Arumukham Pillai; We are not concerned with that section which is following Makkathayam law.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I support the introduction of the bill. I do not propose to go into the history or the ethnology of the community or the description given in the Census Report. It is very clear that the members of that community want a piece of social legislation, a change in their personal law, rather a codification of their personal law with minor changes. It has been brought forward by a member representing the Kalkulam constituency and it has been supported by another learned friend, an eminent member who is also a representative of that constituency. I cannot understand why members of the other communities should be so anxious about fusion in law. I do not in fact understand the meaning of the word fusion. I am glad that it has some resemblence to some scientific term when the honourable member Mr. Kalkulam A. Easwara Pillai referred to fusion. But he said that there is nothing like inter-dining or inter-marriage in the communities. He appears to be a detached observer.

Mr. V. S. Arumukham Pillai: May I know from the member.........

Mr. Kochikal P. Balakrishnan Tampi: I do not yield Sir. What I am saying is, but for the common accident of having the name of Krishnanvaka, there is nothing to make out that these communities are not different. My honourable friend Mr. Kalkulam A. Easwara Pillai, who is an expert in these matters

can speak with authority on matters concerning the Krishnanvaka community. I do not claim to speak with authority about the matter. But I am certainly sorry to observe that another honourable friend, whose strong point was his grammar, said that the community do not in fact deserve legislation because of the want of numerical strength. I am sorry that such an argument should have come from a person who, in time and out of time, dins into the ears of the House certain things, because of the strength of superior numbers. I would go to the extent of saying that even if there is only one man in the State who wants a personal law and for which there is no provision in the Statute Book, it is up to this House to make law for him. The fact that a community is too small is certainly no fault of the community. I leave it at that.

If I were a selfish member of such a community, I would have even prayed that that community should have the incentive to increase its members so as to come within the ambit of the Public Service Commissioner's rules after a period of some 10 or 15 years.

Mr. M. Govindan : On a point of order. Is it relevant for the member to speak about the Public Service Commissioner in this connection ?

President ; The honourable member was pointing out that fusion or assimilation of two communities may lead to extra, rather, increase of population, which may in turn lead to claims before a future Public Service Commissioner, who, if guided by the law of population, may have to yield to those claims.

Mr. Kochikal P. Balakrishnan Tampi . Therefore, there is no point in saying that no legislation is required because the members of the community do not exceed 1500. Further, there has been no serious opposition to this Bill ever since it was published. That itself is a sure indication that the community wants such a measure. I do not say that the Bill as it is is perfect. I do not think that the mover of the Bill will claim that it is perfect. There is a definite procedure prescribed, as my honourable friend Mr. Arumukham Pillai suggested and that is, the Select Committee can indicate changes. It may give the Bill Krishnanvaka Makkathayee bias or Vellala bias or even Nair bias. Whether the Bill should be changed in accordance with the wishes of the community is a matter which could be taken up at the next stage. These are changes that could be made by the Select Committee to make the Bill an acceptable one to the community at large. If, as was suggested by one other honourable friend, the Select Committee, on taking evidence, finds any violent opposition from a certain section of the community, then we can think of dropping the Bill. At this stage, I support the introduction of the Bill.

Mr. A. Easwara Pillai: May I known, when there is no opposition to the measure, what is the necessity for evidence being taken?

Mr. Kochikal P. Balakrishnan Tampi: From the opinions expressed on the floor of the House, I think that a certain amount of taking of evidence may be necessary.

Mr. Kottur Kunjukrishna Pillai: Sir, I rise to support the principle of the Bill. I am at a loss to find how we can question at this stage the necessity of this Bill. A Bill may be thrown out if the principle is not acceptable. But, some legislation was thought to be necessary by this House and that was the reason why 'leave to introduce' was granted. After having given that, I do not think it is possible for us to say that there is no necessity for this legislation.

Another point raised was regarding the question of fusion between two sections of the community. The opposition to this Bill is that it affects only a portion of a community numbering just above a thousand. There I may say this fact. The legislature here has passed a Bill for the Kshatriya community. They number only three thousand. Thereby, the principle accepted being that even a small minority can be given a legislation if that community desires it. If the circumstances of the community necessitate a codification of laws with regard to inheritance so as to make it definite and free from the ravages of litigation, I cannot see my way to oppose the principle of the Bill simply because, the numerical strength of the community is only a thousand. Whether this House has to go to the help of the community and bring about a legislation if it is found that such legislation is for the advancement of the community and if such a legislation is brought about by the desire of that community, my suggestion is that, the bill must be passed. If this Bill is not passed, where is the likelihood of fusion. I do not see any acceptable arguments being advanced to support that position. My friend Mr. Kalkulam A. Easwara Pillai who represents the Makkathayee section which was the more numerous section of the community.

Mr. A. Easwara Pillai: Sir, May I correct the member. I represent the Marumakkathayam section.

Mr. Kottur Kunjukrishna Pillai: I thought he represented the Makkathayee section of the community. Now he has said contrary to that. I am not very anxious about that.

With regard to the question of fusion, we find that this community has been in existence for a fairly long time. There has been no legislation passed as yet regarding any section of the community. Yet so much fusion has taken place in the community

that even now there is neither inter-dining nor inter-marriage. That has been the result of having no legislation for this Marumakkathayam section. What is the proposal made by my friend Mr. Elenkath. The proposal is to approximate more closely with these people who follow the Mitakshara system in the Krishnanvaka community. The proposal is to give a Makkathayee bias for the Marumakkathayee section of the Krishnanvaka community. In that community, it has been stated that some interested people are anxious to get their share of the family property. How can that be not, a very undesirable desire? To have a portion of the family property to which he has a claim, is a legitimate desire. Instead of deprecating that, I say it is a legitimate grievance put before this House. There are a number of people in the community who are not able to get their legitimate share of maintenance. They are people who are merely called the owners of joint family properties but who do not enjoy them. The head of the family for the time being exploiting all others.

Mr. A. Easwara Pillai: Does the member know the number of partition suits pending before courts?

Mr. Kottur Kunjukrishna Pillai: I am not aware of that. But I am aware of the desire of the community to have partition effected so that, every member of the community may enjoy his legitimate share and that has been made out by the honourable member himself who opposed this legislation. I am not at all satisfied with the Bill as it is. I think drastic changes are necessary. When I say, I accept the principle of the Bill, I mean only this. A minority section of the Krishnanvaka community is in need of a legislation and that the legislation has to be made. The principle accepted so far as I am concerned is that there is necessity for a legislation of the kind. Ample freedom should be given to the Select Committee to make the necessary changes in the legislation proposed. The opinion of the community, as far as it is possible and consistent with the importance of the measure, should be ascertained before the final legislation is passed.

With these words, I support the principle of the Bill.

Mr. G. Narayana Aiyar: Sir, I support the principle of the Bill. The Bill was published in September last and clearly 10 months have elapsed since it was published. No protest has been heard from the members of that community, stating that such a piece of legislation is unwanted. The fact that the members of the community number only a few thousand is no reason for refusing legislation for the community if there is a real need for it,

[Mr. G. Narayana Aiyar.]

It has to be stated here that the Marumakkathayam system of law is beset with certain very serious difficulties in practice. Whenever cases arise under the system, custom and precedent's have to be depended upon. There are no written laws so far as custom is concerned. Courts find it very difficult to arrive at safe conclusions. So, to avoid all unnecessary complications, it is advisable to have a legislation. I suggest that it is desirable to have the status the rights and privileges of the members of this country well defined by a statute so that the community itself may know what all definite rights it has.

The Council adjourned for lunch at 1 P. M. and reassembled at 2 P. M. with the President in the Chair.

Mr. G. Narayana Aiyar: I think there is no reason for refusing legislation if there is a real necessity for it. Suppose a Taravad or a member of this community wants to execute a hypothecation. What are their powers and safeguards? Who all should join in the deed? What has the creditor to enquire? What are the safeguards? Now these have to be ascertained relying on customs. There is no written law. It depends upon several rulings of our courts which are in some cases inconsistent so much so that the members of this community find it very difficult to raise money for certain necessities. They have to undergo all kinds of risks. Properties have to be sold for lesser value. It is certainly a serious drawback. I think there should be definite laws. It is clear that there is necessity for such a legislation. When I say that, it should not be understood that I support all the provisions of the Bill. There are various sections, for instance, those with regard to partition, which I oppose. The right to partition given under the Nayar Regulation is said to have shattered many families. I support the principle of the Bill and am convinced of the necessity for such a legislation. With these words I support the principle of the Bill.

Mr P. R. Goda Varma Raja (*Eadavaga*): I also support the principle of the Bill. I do not quite agree with the argument brought forward by one of the honourable members that this legislation is detrimental to the fusion of the two divisions in the community. After all it is only by means of legislation that the law can be made definite and certain and it is to the advantage of the people and the members of the community concerned that the law should be so.

Coming to the point raised by Mr. Govindan that all communal laws should be scrapped. I am of the view that it is a Utopian idea. Under the present conditions it is not possible to abolish all communal legislation. Simply because the community

consists of only two or three thousand members, it is not right that a legislation should be denied to them. So far as the Krishnanvaka community is concerned, law is gathered from the customs and usages of the community. Almost all the major communities and even some of the minor communities have got special social laws passed by this Council. So it is not quite proper to deny any law to this community alone. If it is necessary to amend or modify the provisions of this Bill it may be made at the Select Committee stage and even when the Bill considered by this House. So far as the idea of fusion of the two divisions in the community is concerned, if the Bill is so modified as to make its provisions conform to the law applicable to that division of the community which follows the Makkathayam Law it is quite possible that the two divisions will be fused together so that they may form one community in law and custom. It is by social propaganda that fusion of communities is possible. We do now see before our eyes that sub-divisions of society are being gradually merged in one another and if we give them chance to organise and help them to educate so as to understand and realize their position it is quite easy to fuse them together. With these words I support the principle of the Bill.

Mr. A. Easwara Pillai: May I know whether it is the view of the member that fusion is possible if this Bill is passed.

Mr. P. R. Goda Varma Raja: Yes, quite possible.

Mr. Kalloor Narayana Pillai (*Mavelikara and Tiruvalla Cum Pattanamtitta*): സർ, ഈ ബില്ലിന്റെ തത്വത്തോടു ഞാൻ യോജിക്കുന്നു. അതോടുകൂടി ഈ ബില്ലിന്റെ ആവശ്യകത എത്രമാത്രമുണ്ടെന്നു ഈ കൌൺസിലിനെ ബോദ്ധ്യപ്പെടുത്തണമെന്നും ഞാൻ ആശിക്കുന്നുണ്ട്. ഒന്നാമതായി കൃഷ്ണൻവക മരുമക്കത്തായികളുടെ വിവാഹബന്ധത്തെ ശാശ്വതമായ നിയമശാസനത്താൽ ഉറപ്പിക്കപ്പെട്ടിട്ടില്ല എന്നുള്ള ദൂഷ്യത്തെ പരിഹരിക്കുന്നതിനു ഇങ്ങനെ ഒരു നിയമം ഏറ്റവും അത്യാവശ്യമാകുന്നു. ഒരു ഭർത്താവു് ഒരു ഭാര്യയെ—കുട്ടികളുള്ള ഭാര്യയെ—ഉപേക്ഷിക്കുക എന്നു വന്നാൽ അതിലേക്കു ഒരു ശരിയായ പരിഹാരം കല്പിച്ചില്ലെങ്കിൽ ആ സ്ത്രീലോകത്തിന്റെ അഭിമാനത്തെ സാരമായി ബാധിക്കുന്നതിനും തന്നിമിത്തം അവർക്കു കഷ്ടതകൾ അനുഭവിക്കുന്നതിനും ഇടയാകുന്നതാണ്. അതിനാൽ ഒരു നിയമശാസനത്താൽ വിവാഹബന്ധം ഉറപ്പിക്കേണ്ടതു ഏറ്റവും അത്യാവശ്യമായിത്തീർന്നിരിക്കുന്നു. രണ്ടാമതായി ഈ ബില്ലിൽ കാണുന്ന ഒരു സംഗതി സ്വത്തു

സമ്പാദിച്ചശേഷം മരിച്ചുപോകുന്ന ഒരു ജൂനിയർ മെമ്പറുടെ സ്വത്തിന്മേലുള്ള അവകാശം അയാളുടെ ഭാര്യയ്ക്കും മക്കൾക്കും സ്ഥാപിച്ചുകൊടുക്കുകയെന്നുള്ളതാണ്. ഇതു് ഒരു നിയമശാസനംകൊണ്ടേ സാധിക്കുകയുള്ളൂ. ഇന്നത്തെ സ്ഥിതിക്കു ഒരു തറവാട്ടിലെ ഒരുജൂനിയർമെംബറുടെ സ്വത്തിന്മേലുള്ള അവകാശം കുടുംബത്തിലേക്കു ലയിക്കുകയല്ലാതെ ഭാര്യയ്ക്കും മക്കൾക്കും കിട്ടുന്നില്ല. ഈ അവസ്ഥ പരിഹരിക്കേണ്ടതും അത്യാവശ്യമാകുന്നു. മൂന്നാമതായി ഭാഗത്തെ സംബന്ധിച്ചാണു ഇതിൽ പറയുന്നതു്. കുടുംബസ്വത്തു കൈവശം വച്ചുകൊണ്ടിരിക്കുന്ന ഒരു കാരണവൻ എപ്പോഴും ആളോഹരിഭാഗത്തിനു എതിരായിട്ടേ നിൽക്കുകയുള്ളൂ. അംഗങ്ങൾ ഭാഗം ആവശ്യപ്പെടുമ്പോൾ അതു കൊടുക്കാനുള്ള മടികൊണ്ടു കുടുംബദ്രോഹംപോലും ചെയ്വാൻ കാരണമായിത്തീർന്നേക്കും. അതിനാൽ ഭാഗത്തെ സംബന്ധിച്ചും ഈ ബില്ലിലെ വ്യവസ്ഥകൾ അത്യാവശ്യമാണെന്നു പറയാതെ തരമില്ല.

ഈ സമുദായത്തിൽ ജനസംഖ്യ വളരെ കുറവായിട്ടേയുള്ളൂ എന്നുള്ളതാണു മറ്റൊരാക്ഷേപം ഇവിടെ പുറപ്പെടുവിച്ചിട്ടുള്ളതു്. മക്കത്തായി കൃഷ്ണൻവകക്കാരുടെയിടയിൽ ഉള്ള ജനസംഖ്യ പതിനായിരത്തോളം ഉണ്ടെന്നും, മരുമക്കത്തായി കൃഷ്ണൻവകക്കാരുടെ ജനസംഖ്യ ആയിരത്തോളം മാത്രമേയുള്ളുവെന്നും ഇവിടെ പ്രസ്താവിക്കയുണ്ടായി ഇതു തീരെ ക്ഷയിച്ചുവരുന്ന സമുദായമാണെങ്കിൽ ഈ ആയിരം പേർതന്നെ ശേഷിക്കയില്ലായിരുന്നു. ഇപ്പോൾതന്നെ ആയിരത്തിൽപരം ജനസംഖ്യയുള്ളതുകൊണ്ടു ഈ സമുദായം വർദ്ധിച്ചുവരും എന്നേ വിചാരിക്കാൻ തരമുള്ളൂ. മക്കത്തായികളും മരുമക്കത്തായികളുമായ കൃഷ്ണൻവക സമുദായക്കാരുടെ ഇടയിൽ ഈ ബില്ലുനിമിത്തം ഭിന്നിപ്പുണ്ടാകും എന്നുള്ള സംശയംതന്നെ അസ്ഥാനത്തിലാണ്. ഈ ബിൽ പാസ്സായി ആളോഹരിഭാഗംവച്ചു അച്ഛന്റെ സ്വത്തു മക്കൾക്കു കിട്ടുമ്പോൾ മക്കത്തായത്തിലേക്കുള്ള വാസന അവർക്കും ക്രമേണ ഉണ്ടാകും. ഇപ്പോൾ മക്കത്തായവിരോധികളെന്നു കാണുന്നവരെ കാലാന്തരത്തിൽ മക്കത്തായാനുകൂലികളാക്കാവുന്നതാണ്. അങ്ങിനെ രണ്ടുവർഗ്ഗവും തമ്മിൽ ചേരുന്നതിനും ഈ ബില്ലു ഉപകരിക്കാവുന്നതാണ്.

Mr. V. S. Arumukham Pillai: May I know whether inter-marriges are possible in view of the provisions regulating this Bill?

Mr. Kalloor Narayana Pillai : ഇൻറർമാരിയേജും ഇൻറർ ഡൈനിങ്ങും അനേകകാലമായി ഈ സമുദായത്തിൽ നടപ്പില്ലാതിരിക്കുന്നതുകൊണ്ടു മേലാൽ ഇതു നടപ്പിൽ വരുമെന്നു വിചാരിക്കാൻ തര

മില്ല. ഇവിടെ അവരെ യോജിപ്പിച്ചു കൊണ്ടുപോകണമെന്നുള്ളതാണു് ഉദ്ദേശം.

Mr. V. S. Arumukham Pillai: May I know how the member knows that there is no inter-marriages between the two communities?

Mr. Kalloor Narayana Pillai: മി. ഈശ്വരപിള്ള പ്രസ്താവിച്ചതിൽനിന്നും ഞാൻ മനസ്സിലാക്കിയതാണു്.

ഈ സമുദായം ഏതു പൂർവികന്മാരിൽനിന്നും പിരിഞ്ഞിട്ടുള്ളതാണെന്നു ഇവിടെ നോക്കേണ്ട ആവശ്യമില്ല. ശ്രീകൃഷ്ണന്റെ സന്താനങ്ങളെല്ലാം നമ്മുടെ പുരാണപ്രകാരം നശിച്ചുപോയിരിക്കുന്നതുകൊണ്ടു കൃഷ്ണൻവകക്കാർ ശ്രീകൃഷ്ണന്റെ സന്താനവഴിയിലുള്ളവരാണെന്നുപറയാൻ തരമില്ല. ഒരു പക്ഷേ ഭഗവൽഭക്തന്മാരായിരുന്ന കുറെ ആളുകളും ആയിരിക്കും ഇവർ. ഈ സമുദായംതന്നെ പൂർവികമേ മരുമക്കവഴിക്കാരായിരുന്നിരിക്കണം. അവരിൽ ചിലർ ഇവിടെ വന്നു ഇവിടത്തെ മക്കൾവഴി സ്ത്രീകളുമായി വിവാഹബന്ധത്തിലേർപ്പെട്ടതുനിമിത്തം മക്കൾവഴിക്കാരായിട്ടു പിരിഞ്ഞതായിരിക്കണം. ശ്രീകൃഷ്ണൻതന്നെ മരുമക്കവഴിക്കാരനായിരുന്നില്ലേ എന്നാണു ഞാൻ സംശയിക്കുന്നതു്. അല്ലെങ്കിൽ കംസനെ വധിക്കേണ്ട ആവശ്യം വരികയില്ലായിരുന്നു. ഏതായാലും അവരുടെ പുരാതന ദായക്രമം അനുസരിച്ചു ഒരു ബിൽ ആവശ്യമാണെന്നാണെന്റെ അഭിപ്രായം.

Mr. V. S. Arumukham Pillai: May I know whether the member is aware that the original inhabitants came from outside?

Mr. Kalloor Narayana Pillai: ഗുജറാററിൽ നിന്നുംപോന്നിട്ടുള്ളവരാണെന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്.

Mr. K. R. Elenkath: I wish to speak a few words in reply to the criticisms raised by certain members against the principle of the Bill. I am glad that no very serious objection has been taken by honourable members. The only objection is that this Bill if passed, may even tend to make a cleavage between the Makkathayam and Marumakkathayam Sections of the Krishnanvaka community. I am surprised how one can argue in that manner when we find that the very object of the Bill, as has been observed by various members, is to create a Makkathayam bias in place of the Marumakkathayam Law which the community is now following. Whether a fusion is required or necessary is a question which I cannot answer now. Whether Mr. Easwara Pillai has behind him

the consolidated opinion of the Marumakkathayam Section of the community is a question which I am not quite sure of. A question was put whether a Makkathayam member can legitimately represent the Marumakathayam Section of the community. I understand that all educated people of the community are in support of the principle of the Bill and it was with great difficulty that Government was able to find out a man who opposes the Bill to be represented in this House. There are graduates and graduates-in-law who support the principle of the Bill. All these people have unitedly approached the Government with memorials. So it is not a hasty legislation that we are endeavouring to launch upon.

Mr. A. Easwara Pillai: May I know whether the persons referred to by the member all belong to one particular family?

Mr. K. R. Elenkath: They belong to the Marumakkathayam section of the community and all the educated members of that section are in support of this legislation.

Mr. Kochikkal P. Balakrishnan Tampi: If an honourable member who is a Nair can sponsor such a Bill, why not another honourable member who belong to the Makkathayee section of the Krishnanvaka community sponsor a Bill for the Marumakkathayee section of that community?

Mr. K. R. Elenkath: We, as members of this House are entitled to bring forward any legislation affecting any community. The Division Peishkar went to the spot, made enquiries and submitted a report and with reference to that.........

President: Order, order. It should not be taken from that letter that in regard to social legislations, Government will force any views upon the House. They propose to take a neutral attitude so far as this bill is concerned.

Mr. K. R. Elenkath: My object in reading out this was to show that this was not a hasty step taken by me but the community has already moved in the matter.

Mr. A. Easwara Pillai: May I know whether the whole of the Marumakkathayee section of the community supports the Bill or only a portion of it?

Mr. K. R. Elenkath: A large majority of them demand such a legislation. And even in the case of taking a referendum it is not very difficult because the members of that section of the community number on the whole 1,385 only. This is the latest figure. The adults will certainly be less than a thousand. Therefore it is not very difficult to take evidence or a referendum if the Select Committee visits about three places in South Travancore *viz.*, Eraniel, Thuckalai and Manavalakurichi. With regard to one

argument raised by Mr. Govindan and well answered by Mr. Thampi, that is, even though the number of a certain community is very small, if there is a need for legislation with reference to that community then certainly we must see that such legislation is passed. But I should also say that if there is only one person who is legitimately suffering for want of a social legislation that person should not be denied the right of having a special legislation for him. Sir, this community is closely allied in manners and customs to the Nair community and why should this legislation which may give them additional privileges be denied to them. With these words, I leave the Bill for the consideration of the House.

The motion that this Bill be read in Council was put to vote and carried.

Secretary: The Title of the bill shall be "THE TRAVANCORE KRISHNANVAKA MARUMAKKATHAYAM BILL".

Mr. K. R. Elenkath: Sir, I move that the Bill may be referred to a Select Committee consisting of the following members:—

1. Mr. Kottur Kunjukrishna Pillai.
2. ,, G. Narayana Aiyar.
3. ,, Kalloor Narayana Pillai.
4. ,, M. K. Ananthasiva Aiyar.
5. ,, V. S. Arumukham Pillai.
6. ,, James Fletcher.
7. ,, P. R. Godavarma Raja.
8. ,, K. K. Kuruvila.
9. ,, Kochikkal P. Balakrishnan Tampi.
10. ,, Nedumangad R. Kesavan Nair.
11. ,, M. Govindan.
12. ,, T. Mahomed Ismail.
13. ,, K. M. Korah.
14. ,, Padiyara Joseph Kunju.
15. Mrs. Abernam Gnanasikhamony.
16. Mr. M. S. Anirudhan.
17. ,, A. Easwara Pillai. (co-opted.)
18. ,, Puthupalli S. Krishna Pillai.
19. ,, K. R. Elenkath.

Mr. M. S. Anirudhan: I second the motion.

Mr. A. Easwara Pillai: I thought of proposing an amendment to include no members who oppose the Bill.

President: The honourable member is at liberty to move any amendment. I do not like to create an impression in the

[President]

minds of the members of the particular community that all the view points were not considered so far as the introduction of this Bill is concerned.

The motion that the honourable members whose names were read out may form the members of the Select Committee was then put to vote and carried.

THE TRAVANCORE HINDU WOMEN'S RIGHTS TO PROPERTY BILL.

Mr. G. Narayana Aiyar: Sir, I request that leave may be granted for the introduction of the Travancore Hindu Women's rights to property bill.

Mr. A. Easwara Pillai: I second it. Sir, I want to make an observation that the Select Committee formed for the purpose of considering the Krishnanvaka Marumakkathayam Bill may be empowered to take evidence.

President: Order, order. It is expected that all honourable members should be alert. We have passed from that subject and have taken up the next one on the agenda, that is The Hindu Women's Rights to Property Bill. But I understand that the honourable member wants that liberties should be given to the Select Committee to take evidence. That is noted. What is the time within which the Select Committee is expected to submit its report?

Mr. K. R. Elenkath: Within two months.

Mr. M. K. Ananthasiva Aiyar: I oppose the motion moved by the honourable member Mr. G. Narayana Aiyar. The present mode of giving maintenance to the childless widow in a Mithakshara family is a long-established usage. The custom is to fix the amount of maintenance consistent with the needs of the widow and the status of the family from whom she claims maintenance. The needs of a childless widow are limited, but at the same time, the needs of her husband's family are far more. Her position has undergone a vast change with her becoming a widow. Her family cannot grow. Nobody approaches her for even subscriptions. Generally the good feeling and natural affection of a childless widow is found to be inclined more towards the members of her original family than to the members of her husband's family. Naturally if the widow is allowed to possess more than what is required for her expenses, she will only allow such excess to flow into the hands of the members

of her original family. This cannot be allowed. Further, when she has only a life interest over the properties which may be conferred upon her under the Bill which is sought to be introduced she may not care to improve the properties and keep them in good condition. I do not think that the members of the community or communities who may be affected by the proposed legislation would agree to the proposal. The consensus of opinion of the people who may be affected has not been taken.

The motion whether Mr. G. Narayana Aiyar has the leave of the House for introducing his Bill was then put to vote and carried.

Leave was granted to introduce the Bill.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I beg leave of the House to withdraw my motion for the amendment of the Standing Orders in view of the fact that the other House has expressed its opinion in regard to this. Moreover, Sir, I do this in deference to the opinion of some of the honourable members who seem to be persistent against early rising.

Mr. T. K. Kitten (*Vaikam, Kottayam and Changanachery* Cum *Peermade.* തിരുവനന്തപുരം നഗരത്തിൽ സ്ഥാപിച്ചിട്ടുള്ള ആയുർവേദധർമ്മാശുപത്രിയുടെ മാതൃകയിൽ തിരുവിതാംകൂറിലെ മുഖ്യനഗരങ്ങളായ നാഗർകോവിൽ, കൊല്ലം, ആലപ്പുഴ, കോട്ടയം ഈ നഗരങ്ങളിൽ ഗവൺമെന്റുവകയായി ആയുർവേദധർമ്മാശുപത്രികൾ സ്ഥാപിക്കണമെന്നു ഈ കൗൺസിൽ ബഹുമാനപ്പെട്ട ഗവൺമെന്റിനോട് ശുപാർശചെയ്യുന്നു"

ഈ പ്രമേയത്തെ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

സർ, ആയുർവേദവൈദ്യത്തിൽ ജനങ്ങൾക്കു ഇപ്പോൾ വലിയവിശ്വാസമുണ്ടായിരിക്കുന്നു. ൧൧൧൧-ലെ ഒരു കണക്കു ഇവിടെ പറയുകയാണെങ്കിൽ ജനറൽആശുപത്രിയിൽ ചികിത്സിച്ചിട്ടുള്ളവരുടെ സംഖ്യ വൃന്ദൻ ൨൩൯൪-ം അതേസമയം ആയുർവേദആശുപത്രിയിൽ ചികിത്സിച്ചിട്ടുള്ളവരുടെ സംഖ്യം ൭ ൨൨൯൩-ം ആണെന്നു കാണാം. ജനറൽ ആശുപത്രിക്കുവേണ്ടി ൨ ലക്ഷത്തിൽ ചില്വാനം രൂപായും ആയുർവേദാശുപത്രിക്കു പന്തീരായിരത്തിൽ ചില്വാനം രൂപായുമാണു ചെലവു ചെയ്തിരിക്കുന്നതു്. എന്നാൽ ഇത്രയും കുറഞ്ഞ ഒരു തുകകൊണ്ടു ഇത്രയും വലിയ ഒരു സംഖ്യ രോഗികളെ ചികിത്സിക്കാൻ കഴിഞ്ഞ ഒരു ഡിപ്പാർട്ടുമെന്റിനു പൂർവാധികം പ്രോത്സാഹനം നൽകണമെന്നാണു് ഞാൻ പറയുന്നതു്. ഇതുകൊണ്ടു് ഇംഗ്ലീഷ് ഔഷധശാലകൾ കുറക്കണമെന്നർത്ഥമാകുന്നില്ല. അവിടെ ശസ്ത്രക്രിയ, എക്സ്റെ മുതലായ പല പ്രയോജനപ്ര

ദമായ സംഗതികളും നടക്കുന്നുണ്ടു്. അതെല്ലാം ആവശ്യവുമാണ്. എന്നാൽസാധുജനങ്ങൾക്കു ആയുർവേദാശുപത്രിയാണ് വളരെ ഉപകരിച്ചുകൊണ്ടിരിക്കുന്നതു്. രണ്ടുലക്ഷം രൂപയോളംവരുന്ന തുക ചെലവുചെയ്യുന്ന ജനറലാശുപത്രിയിൽ ചികിത്സിച്ചിട്ടുള്ള രോഗികളുടെ സംഖ്യയോടു് അടുത്ത ഒരു സംഖ്യ രോഗികളെ ആയുർവേദാശുപത്രിയിൽ ചികിത്സിച്ചിട്ടുണ്ടെന്നു ഞാൻ മുൻപുദ്ധരിച്ച കണക്കുകൊണ്ടു കാണാം. ശതമാനക്കണക്കുപറയാൻ വളരെ വിഷമമാണു. ഏതായാലും ആയുർവേദചികിത്സാസമ്പ്രദായത്തിനു കൂടുതൽ പണം ചെലവുചെയ്യേണ്ടതാണ്. ഇതിൽ ആക്കും അഭിപ്രായവ്യത്യാസത്തിനവകാശമില്ലാത്ത ഒരു സംഗതിയായതുകൊണ്ട് സഭ ഇതിനെ അനുകൂലിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

ആയുർവേദചികിത്സ ഭാരതത്തിലെ പുരാതനചികിത്സാസമ്പ്രദായമാണ്. ഇംഗ്ലീഷ്ചികിത്സാസമ്പ്രദായം ഇടക്കാലത്താണ് ഇവിടെ വന്നതു്. ഇംഗ്ലീഷ്ചികിത്സ വന്നതോടുകൂടി ആയുർവേദത്തിനു കുറെ ഉടവു തട്ടി. ഇപ്പോൾ അതു പുനരുദ്ധരിച്ചുവരികയാണ്. ആയുർവേദചികിത്സ ഇപ്പോൾ ഒരു നല്ലനിലയിൽ എത്തിയിരിക്കുന്നു എന്നു പറയുന്നതിൽ വലിയ തെററില്ല. ഇപ്പോഴത്തെ ആയുർവേദഡയറക്ടർ വൈദ്യവിഷയത്തിൽ കേരളത്തിലെന്നല്ല, ഭാരതത്തിൽതന്നെ ഉയന്ന ഒരു സ്ഥാനം ഉള്ള ആളാണ്. അഷ്ടവൈദ്യപ്രമുഖനും "ധന്വന്തരിദാസ്" എന്ന് അപരനാമമുള്ള മാന്യനുമാണു ഇന്നത്തെ ഈ ഡിപ്പാർട്ടുമെൻറിൻെറ അദ്ധ്യക്ഷൻ. ആയുർവേദം ജനങ്ങൾക്കു ഉപയോഗയോഗ്യമാക്കണമെന്നു ഗവൺമെൻറ് വിചാരിക്കുന്നപക്ഷം ഈ ഡയറക്ടർ ഇവിടെയിരിക്കുന്ന ഈ സന്ദർഭം ഒരു നല്ല ഘട്ടമാണ്. ഈ സന്ദർഭം തെററിയാൽ ഇതുപോലെയുള്ള ഒരാളിനെ ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷനായി കിട്ടുകയെന്നുള്ളതു വിഷമമാണ്. അതിനാൽ ഈ വിഷയത്തിൽ ബഹുമാനപ്പെട്ട ഗവൺമെൻറിൻെറയും ഈ സഭയുടെയും ശ്രദ്ധ പതിയണമെന്നു അപേക്ഷിച്ചുകൊണ്ടു ഞാൻ ഈ പ്രമേയത്തെ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I second the motion. I am glad that Mr. Kitten has realised the necessity of opening Ayurvedic Hospitals in the important Municipal areas in the State. He has pointed out the popularity of the Ayurvedic Hospital. Incidentally, I may say that our Government have been consistently patronising the Ayurvedic System, and long before the Raja of Panagal in Madras or the Government of Ceylon took up the question of organising the Ayurvedic treatment, our State had organised the Department and started

hospitals also. But of late, during the last decade, I am afraid, the Government had been resting on the oars of the past reputation and not doing anything to increase the usefulness or the popularity of the institutions already opened. In spite of the routine attitude to the Department—if I can speak so without offending the susceptibilities of my friend Mr. Govindan over here—the Ayurvedic institutions, the Hospitals and Vaidyasalas have been very popular indeed.

Incidentally, I may mention that this is a branch of learning in which we could specialise in Travancore. A college or an institution in which the Vaidyans could be trained could be opened and all modern excellences in surgery could be combined with the old system of Ayurvedic treatment. We owe it not only to Travancore but to the rest of India, Ceylon and Burma, because many persons under the guise of being Ayurvedic Doctors of Malabar actually go about practising curious systems of medicine and quackery in the great metropolitan cities of India. Even the Ayurvedic quacks have become popular there. Personally, I know some of them who have set up themselves as Ayurvedic Doctors and have changed their terminology, in Bombay and in Madras. This is the general observation I have to make.

Coming to the specific resolution, certainly, I wholeheartedly support the resolution, because, inspite of the many Allopathic Institutions in and out of Alleppey—I am speaking with particular reference to Alleppey—I can not say that medical aid is available to all the poor people of Alleppey and the suburbs. These are days when we are developing a new system of treatment, namely, psychotherapy. When a person thinks that the coloured waters of Allopathy could cure him, it may be very good. But when he believes that no advantage would be gained by that treatment, then, certainly,, he must be given the treatment which he believes is effective. The people of our country have a natural and inherent bias in favour of the indigenous system of medicine. With reference to the principles of psychotherapy, also I would say that the people of Travancore should be given facilities for getting expert treatment in the indigenous systems. The sum involved here will not be very considerable, especially in starting hospitals.

I, therefore, wholeheartedly support the resolution of my friend Mr Kitten.

Mr. V. S. Arumukham Pillai: Sir, in so far as it relates to the establishment of an Ayurvedic Hospital at Nagercoil, I oppose the resolution.

Mr. Nedumangad R. Kesavan Nair: Sir, the member is not loud enough.

President : The honourable member will raise his voice.

Mr. V. S. Arumukham Pillai : Sir, I oppose the resolution in so far as it relates to the establishment of an Ayurvedic Hospital at Nagercoil. I also beg to add that it is an insult offered to the Tamilians as a class, to the Tamilian medical science and the Tamil medical institutions.

The people of South Travancore and the Tamilians as a class have been agitating for a long time for the development of the Sidha Medical institution and Sidha Medical Science. But as is usual with all Tamilian agitations, the Government have been treating them with scant courtesy. The object of encouraging the indigenous systems of medicine is to offer cheap medicine and medical aid to the bulk of the population. This cheap medical aid is entirely denied to the Tamilians as a class. Sir, the Tamilians form about one sixth of the population of the State and a fair portion of the State revenue, namely one sixth, is being contributed by the Tamilians. It is only fair and reasonable that a fair proportion of the revenues of our State are contributed and allotted by the State to the development of this system of medicine.

I may in this connection, draw the pointed attention of the Government to the establishment of the Sidha branch in the Ayurveda College. I submit that the establishment of a Sidha branch and the development of the Tamil science will not only bring cheap medical aid to the bulk of the population, who form the subjects of His Highness the Maharaja, but it will also have a healthy influence as the Ayurvedic system itself.

Mr. Nedumangad R. Kesavan Nair : May I know whether there is any difference between the Ayurvedic System and the Sidha System ?

Mr. V. S. Arumukham Pillai : Yes, there is a lot of difference. I shall submit in this connection that even the Ayurvedic names of medicines cannot be pronounced......

Mr. Kochikal P. Balakrishnan Tampi : I would like to ask the honourable member whether Unani quacks, I mean, whether the Sidha quacks kill more people than the Ayurvedic quacks.

Mr. V. S. Arumukham Pillai : We are not concerned with eccentrics, lunatics and all those. We are concerned with medical science and the development of the Sidha System. The Tamilians who form one sixth of the population cannot take to Ayurveda because it is foreign to them. Ayurveda is quite unsuited to their culture and habits. Sir, the net result, therefore, is that one sixth of the population of the State is deprived of cheap medical aid. I was submitting that it is highly essential that this

system should be developed and a branch opened in the Ayurvedic College itself. I also submit that the establishment of the branch will have a healthy influence on the Ayurvedic science itself, because there are certain treatments which are peculiar to the several systems which are quite unknown.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I raise a point of order. The resolution is about the Ayurvedic Hospital. Is the member in order to dilate upon other topics ?

President: What he apparently says is that the Sidha system has been so thoroughly neglected that he will not vote for the Ayurvedic Hospital. If possible, the honourable member can consider the expediency of moving an amendment with the object of giving greater attention to the Sidha System also. I leave it to the honourable member.

Mr. V. S. Arumukham Pillai: Sir, it is now too late.

Therefore, my point is that an Ayurvedic Hospital is not necessary in Nagercoil and it is an insult and the...

Mr. M. Govindan: May I know whether there is at present an aided Ayurvedic Hospital at Nagercoil which is resorted to by a large number of patients.

Mr. V. S. Arumukham Pillai: It is generally resorted to only by the Government servants there and by the people of Northern and Central Travancore who have come down to Nagercoil. Local people do not resort to that hospital.

Mr. A. Easwara Pillai; May I ask whether the Allopathic system is an insult to South Travancore and to the Tamilians ?

Mr. V. S. Arumukham Pillai: No; it is common to Tamilians and non-Tamilians. My objection is only to that system which is favoured by a set of people who are unsympathetic towards the Tamilians, and who consider them as aliens ; it is there that our feeling gets embittered.

Mr. T. Mahomed Ismail: I support the resolution. At the same time, I do not oppose starting any other indigenous system of treatment, *Siddha Vaidiyam* or *Unani*. I support the resolution because I fully believe that it is a cheaper form of treatment than the Allopathic system and poor people in the moffusil and in village parts are quite satisfied with its efficacy. We all know, Sir, what the common people feel in the matter. They think that it is easier to approach the Ayurvedic doctor and to take him to their houses for treatment. He willingly walks to poor houses and does not insist on motor cars. It is easier to pay him also ; you

Mr. T. Mahomed Ismail.]

just have to pay 8 annas or so as fees for the physician, over and above the price of the medicine which also is always low. In the case of the Allopathic doctors, who are suited and booted, although they themselves do not insist on or demand any fees, there is a general feeling among the people themseles that anything less than Rs. five per visit would be too low and not decent enough. Somehow, it is a fact that all Allopathic doctors are paid such fat fees.It is the general impression current among the people that Allopathic doctors first feel the purse of the person calling them before they feel the pulse of the patient. Therefore, there is no doubt that the indigenous systems of treatment are cheaper.

In regard to efficacy also, the figures published in the departmental reports as pointed out by the mover of the resolution show that the Ayurvedic system is considered to be better than the Allopathic system.

Therefore, Sir, if the Government have the interest of the peo ple at heart, they should establish Ayurvedic hospitals not only in big towns as recommended by the mover of the resolution but also in all our villages. However if the Government find financial difficulties in the matter of establishing hospitals in all the villages in the State immediately, they should establish such hospitals at least in the important towns. I therefore heartily support the resolution.

Mr. Nedumangad R. Kesavan Nair : Sir, I support the resolution. There is certainly no question as to the efficacy of the Ayurvedic system of treatment; it has been proved that the Ayurvedic system is superior to Allopathy for curing certain diseases. When, in South Travancore, there was an outbreak of malaria while the Allopathic experts were not able successfully to combat the disease, the few Ayurvedic physicians that were sent there were able to give a more effective treatment. The results were more satisfactory, and the expenditure involved was much less. There is therefore no question as to the efficacy of the Ayurvedic treatment.

As Mr. Ismail observed, the middle and the poorer classes can well afford Ayurvedic treatment but not Allopathy; and in point of efficacy Allopathy is not in any way superior to Ayurveda.

My friend Mr. Arumukham Pillai referred to the Sidha system, I whole-heartedly support him particularly in view of the fact that the Sidha Vaidya Samajam has been recently established at Minjara I understand that they have sent up memorials to the Government requesting their patronage and encouragement for this neglected system of treatment. There is absolutely no question as to whether that system of treatment would be successful or not; because it has been tried and found as successful as Ayurveda or any

other system. Therefore, at least in South Travancore, in Nagercoil for instance, it is very necessary to establish a Sidha hospital.

Sir, in regard to the comparative efficacy of the Allopathic system, I find from a perusal of the departmental reports for the years 1111 and 1112, that the Ayurvedic system has proved more efficacious than Allopathy. In the year 1111, 94 per cent. of the patients who resorted to the Ayurvedic system were successfully cured, and in the year 1112 the percentage is 97. On the other hand, as can be seen from the report of the Medical Department, the percentage of patients cured by Allopathy is much lower. It is therefore highly necessary that the Government should allot more funds for Ayurveda ; at least, they should patronoise and encourage the system in the particular localities mentioned by my friend Mr. Kitten.

There is also one more point which I would like to submit in this connection. I find that already grants are being given to certain institutions in Quilon, Kilimanoor and Nagercoil. The resolution speaks of establishing Ayurvedic hospitals at Nagercoil, Quilon, Alleppey and Kottayam. Therefore, the amounts disbursed by way of grants to the Ayurvedic hospitals at Nagercoil and Quilon have to be taken into account in considering the additional expenditure involved in the proposal contained in the resolution. I hope this modest resolution will commend itself to the Government.

Mr. G. Narayana Aiyar : I support the resolution. I may at the outset submit that the public have full confidence in the Ayurvedic system of treatment. The very name Ayurveda indicates what the system is and how comprehensive it is. It has been in existence from time immemorial. There is no doubt that it is less expensive than Allopathy. There are certain diseases for which there are no proper medicines or treatment under Allopathy while there are methods of safe treatments under Ayurveda. For instance in the case of rheumatism and mental diseases, while the Allopathic doctors say that they have no specifics, the Ayurvedic physicians are able to suggest remedies and to treat the patients successfully. Further, systems of treatment such as *pizhichal* and *kizhi vasty*, etc., which are a palliative for all sorts of complicated diseases, have no corresponding substitutes in Allopathy. Further, as has been already stated, Ayurveda is very cheap and quite suited to the poverty-stricken masses of our country. Therefore, it has to be encouraged sufficiently.

[Mr. G. Narayana Aiyar.]

I may in this connection, Sir, submit that, in almost all resolutions and motions during the voting of grants, the activities of this House seem to be confined wholly to certain specific localities in the State say from Kottayam to Nagercoil. Nobody seems to take any trouble over the other parts of the country especially the northern taluks. Everybody wants all Government institutions to be centred round the four important towns in the State. Sir this deplorable state of affairs should not be allowed to continue any longer. Other parts of the country are also entitled to kind treatment at the hands of the Government. The taluks of Parur, Kunnatnad and Muvattupuzha, for instance, also contribute to the revenues of Government. I would submit therefore that it is highly necessary to establish Ayurvedic hospitals in the northernmost frontier where the people find it very difficult now to go to the distant hospitals.

I would also suggest the need for standardisation of Ayurvedic medicines. Now, there are numerous shops selling almost all the Ayurvedic medicines. Nobody knows whether the medicines contain all the prescribed ingredients, in the prescribed proportion. There is no method of ascertaining that. In the case of Allopathy for instance, we know what the patent medicines are and what their constituents are, and there is some kind of guarantee that the medicines are really what they are said to be. That is not the case with Ayurvedic medicines like *tailams ghrithams* and other medicines. When the physician prescribes a particular medicine for a particular disease we immediately go to one of these shops and buy it; and it often happens that the medicine is not effective. That is not because of the physician. The defect lies in the constitution of the medicine. Therefore, some system has to be found out by the Government to assure us that the Ayurvedic medicines sold in shops do contain all the necessary ingredients.

Mr. M. Govindan: Does not my friend think that it would be better and safer to extend the Ayurvedic system to the various towns as proposed by Mr. Kitten, before standardising the various medicines?

Mr. G. Narayana Aiyar: Certainly. The establishment of more Ayurvedic hospitals need not wait till the standardisation of medicines which process will necessarily take some time.

Mr. N. V. Chacko: Sir I beg to support the resolution, of course, without condemning other systems of medicine. But I should add that Ayurvedic hospitals, should be established also in other important centres like Muvattupuzha, Perumbavur, Alwaye, Parur, Puthenkurisu and other places; that is a matter in which my friend Mr. G. Narayana Aiyar has anticipated me.

There is one great advantage in the Ayurveda system which we do not have in Allopathy. While, under the Ayurvedic system of treatment, the cure is lasting and almost permanent, in Allopathy, not only is it not lasting but it also injuriously affects the general health of the patient in some cases. For example, if you take quinine for malaria, you are sometime affected and a general break down in health is noticed. But if you take *Indu Kanta Ghritham*, on the other hand, it not only cures malaria but also improves the general health of the patient. I do not know if the honourable the Surgeon-General is aware of it.

I would therefore heartily support the resolution and request the Government to establish Ayurvedic hospitals in the northern taluks also.

Mr. C. N. Thuppan Namboorîpad (*Travancore Jenmies*) : ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു. ആയുർവേദചികിത്സ ഈ രാജ്യത്തെ ജനങ്ങൾക്ക് കൂടുതൽ ഇഷ്ടമുള്ള ഒന്നാണെന്ന് ഇതിനുമുൻപ് ഗവൺമെൻറിനു പല അവസരങ്ങളിലും ബോദ്ധ്യപ്പെടാൻ ഇടയായിട്ടുണ്ട്. അതിൻെറ ഫലമായിട്ടാണ് ഗവൺമെൻറ് ഒരു ആയുർവേദ ഡയറക്ടരെ ഇവിടെ നിയമിച്ചിട്ടുള്ളത്. ഇന്നത്തെ ഡയറക്ടരെക്കാൾ കൂടുതൽ യോഗ്യതയുള്ളവരായി അധികം കാണുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ആ ഡിപ്പാർട്ടുമെൻറിനെ പരിഷ്കരിക്കാൻ ഇപ്പോൾ പററിയ ഒരവസരവുമാണ്. ആയുർവേദ ചികിത്സയുടെ ഗുണത്തെപ്പററിയും മററും പറഞ്ഞു് ഇപ്പോൾ സമയം കളയേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. ആയുർവേദാഭിവൃദ്ധിയെപ്പററി പരിഗണിക്കുമ്പോൾ പ്രധാനമായി നോക്കേണ്ടതു് ഔഷധത്തെ സംബന്ധിച്ചാണ്. നാട്ടിൽതന്നെ മരുന്നുകൾ നട്ടുവളർത്തുന്നതിനായി ഗവൺമെൻറ് ഒരു സ്കീം ഉണ്ടാക്കിവരുന്നു എന്നു ഞാൻ അറിയുന്നു. ആയുർവേദ ഡിപ്പാർട്ടുമെൻറുകാരുടെ സഹായത്തിനുപുറമെ, ഫോറസ്റ്റ് ഡിപ്പാർട്ടുമെൻറുകാരുടെ സഹായവും ഇതിനുണ്ടാകേണ്ടതാണ്. വനങ്ങളിൽ മനുഷ്യപ്രയത്നം യാതൊന്നും കൂടാതെതന്നെ അനവധി ഔഷധങ്ങൾ ഉണ്ടായിവരുന്നുണ്ട്. അവയെല്ലാം ഇപ്പോൾ ഉപയോഗമില്ലാതെ, ആരുമാരുമറിയാതെ തള്ളിക്കളയുന്നു. അതുകൊണ്ടു് ഔഷധങ്ങൾ കൂടുതലായി നട്ടുപിടിപ്പിക്കുന്നതിനും ഉള്ളവയെ ആയുർവേദഡിപ്പാർട്ടുമെൻറുകാരുടെ സഹായസഹകരണങ്ങളോടുകൂടി ശരിയായവിധം സംരക്ഷിച്ചെടുക്കുന്നതിനുമുള്ള ചുമതല ഫോറസ്റ്റ് ഡിപ്പാർട്ടുമെൻറിനുണ്ടായിരിക്കണം,

[Mr. C. N. Thuppan Nambudirippad]

ഇപ്പോൾ നാലു സ്ഥലത്തു കൂടുതലായി ആയുർവേദ ആശുപത്രികൾ സ്ഥാപിക്കണമെന്നാണ് പ്രമേയത്തിൽ കാണിച്ചിരിക്കുന്നതു്. അതു് ഇവിടെ വന്നപ്പോൾ വേറെ ചില ദിക്കിലേക്കുംകൂടി സ്ഥാപിക്കണമെന്നും ആവശ്യപ്പെടുന്നതായി കണ്ടു. ഒരു സ്ഥലത്തു് ഇതിന്റെ ആവശ്യമില്ലെന്നു പറയുന്നതും കേട്ടു. ഞാൻ പറയുന്നതു് ടൗണുകളിൽ അല്ല ആയുർവേദ ആശുപത്രികൾ സ്ഥാപിക്കേണ്ട ആവശ്യമുള്ളതു്. ടൗണുകളിലുള്ള ഇംഗ്ലീഷ് ആശുപത്രികൾ ഇപ്പോൾ മാററാൻ സാദ്ധ്യമല്ലല്ലോ. അതുകൊണ്ടു് ടൗണിനോടു് ഏററവും അടുത്തു്, രണ്ടോ മൂന്നോ മൈൽമാറി ആയുർവേദ ആശുപത്രികൾ സ്ഥാപിക്കുന്നതു നന്നായിരിക്കും. ഇങ്ങനെ സ്ഥാപിച്ചാൽ ടൗണിൽ ഇരിക്കുന്നവർക്കും ഇതിനെ ഉപയോഗപ്പെടുത്താൻ സൌകര്യമുണ്ടു്.

സിദ്ധവൈദ്യത്തെ സംബന്ധിച്ചു് ഇവിടെ പ്രസ്താവിക്കയുണ്ടായി. ഇതിനെപ്പററി പ്രസംഗിച്ച മെംബർ ഇംഗ്ലീഷിൽ പ്രസംഗിച്ചതുകൊണ്ടു സിദ്ധവൈദ്യത്തെപ്പററി അദ്ദേഹം പറഞ്ഞതെന്താണെന്നു ശരിയായി എനിക്കു മനസ്സിലാക്കാൻ കഴിഞ്ഞില്ല. മാളവ്യജി മുതലായ ആളുകൾക്കു് കല്പചികിത്സ നടത്തിയതായും അതു വളരെ പ്രയോജനപ്പെട്ടതായും ഞാൻ കേട്ടു. കല്പചികിത്സ വളരെ നല്ലതാണെന്നറിയുന്നു. അഷ്ടാംഗഹൃദയപണ്ഡിതന്മാരിൽ ചിലരോടു് ഈ കല്പചികിത്സയെപ്പററി ഞാൻ ചോദിക്കുകയും ഉണ്ടായി. ഇതേപ്പററി ആയുർവേദപുസ്തകങ്ങളിൽ പറയുന്നുണ്ടെങ്കിലും ഒരു നല്ല വൈദ്യന്റെ മേൽനോട്ടത്തിലും ശിക്ഷണത്തിലുംമാത്രമെ ചികിത്സ നടത്താവൂ എന്നും അങ്ങനെ ചെയ്യില്ലെങ്കിൽ ചികിത്സയിൽ വലിയ തകരാറുകൾ വരാൻ ഇടയുണ്ടെന്നും അവർ പറയുകയുണ്ടായി. സിദ്ധവൈദ്യം നടപ്പിൽവരുത്തുന്നതു നല്ലതാണ്. പക്ഷെ നല്ല ഒരു സിദ്ധവൈദ്യന്റെ സഹായത്തോടുകൂടി അതു നടപ്പിൽ വരുത്തണം. പാമ്പാടിയിൽ ഒരു സിദ്ധവൈദ്യൻ ഉണ്ടായിരുന്നു. വരുന്നവർക്കെല്ലാം കുറെ വെള്ളം കൊടുക്കും. വെള്ളവും കുടിച്ചുകൊണ്ടു വന്നവർ പോകും. ഒരു വിശേഷവുമില്ല. ഞാനും അവിടെ പോയിട്ടുണ്ടു്. രണ്ടുപ്രാവശ്യം വെള്ളം ഞാനും കുടിച്ചു. എന്റെ വയററിൽ വേദന ഇതുവരെ മാറിയില്ല. അപ്രകാരമുള്ള സിദ്ധവൈദ്യന്മാർ നമുക്കാവശ്യമില്ല. പാണ്ഡിത്യവും പരിചയവും ഉള്ളവരെ നോക്കി നിയമിക്കണം. ഏതായാലും കൂടുതൽ ആയുർവേദ ആശുപത്രികൾ സ്ഥാപിക്കണമെന്നുള്ള ഈ പ്രമേയത്തെ ഞാൻ അനുകൂലിച്ചുകൊള്ളുന്നു.

Mr. K. R. Elenkath: Sir, I rise to offer a few observations on some of the points that have been raised. Sir, it needs no saying that the Ayurvedic system of treatment is the cheapest and the most easily available system of treatment in the State. Looking from that standpoint I should think that easy access to efficient physicians in important centres throughout the State is a thing to which no member of this House can object. But with regard to locating these hospitals in the particular towns mentioned in the resolution, I am entirely in agreement with the opinion expressed by my predecessor that they should as far as possible be a means of giving help to really needy persons but not to persons who have all facilities in the towns. I should think that the towns which have been referred to in the resolution may be altered into divisions and that in the case of Nagercoil it may be the P. W. Division instead of the Revenue Division. What I would suggest is that as far as possible, where we have an overlapping of medical conveniences we shall not go in for more institutions. On the other hand it will be more advantageous and beneficial if you locate these hospitals in areas which are near the towns and at the same time within reach of the rural areas.

With regard to the contemplation by Government of having a few central Allopathic hospitals in some of the main towns in the State, I should think that this question should be waived in the light of this resolution. If the central Allopathic institutions are to be located at Nagercoil, Quilon, Alleppey and Kottayam, I should think that there will be overlapping and unnecessary expenditure if Ayurvedic institutions are to be had in the very same places. So, the location of hospitals has to be considered along with the re-organisation of the central Allopathic hospital system.

With regard to locating a hospital at Nagercoil I would suggest that Neyyattinkara may be substituted for Nagercoil, because Neyyattinkara is an area which is very often stricken with malaria.

Mr. M. K. Ananthasiva Aiyar: May I know whether there is a dispensary at Neyyattinkara at present?

Mr. K. R. Elenkath: Yes. When the scheme of central Allopathic hospitals come it will become a dispensary. That is my idea. Then all these minor hospitals will become dispensaries and a few central hospitals will be available in the big towns. As I find that Mr. Arumugham Pillai is amenable to it, I will advocate the cause of South Travancore and suggest that the proposed hospital for Nagercoil may be shifted to Neyyattinkara.

Mr. M. Govindan: Does the member want Ayurvedic treatment or Siddha Vaidya treatment?

Mr. K. R. Elenkath : I am coming to that. Ayurveda system has been a recognised one and all people have confidence in it. Coming to the Siddha Vaidya system of treatment, I am not one who is opposed to popularising it. On the other hand if this system is well developed, it will be of immense good to the people. But it must be in the hands of experts and not quacks. When compared with the Ayurveda system the Siddha Vaidya system has its own risks because only experts can find real remedy for diseases.

Mr. Nedumangad R. Kesavan Nair : May I know from the member whether there are no experts for the Siddha Vaidya system of treatment ?

Mr. K. R. Elenkath : There are. I am thankful to the member for reminding me by his question of his speech at the Siddha Vaidya Samajam at Munchira. That is the only association where the expert physicians of all parts of Travancore meet and discuss matters. Having regard to that I am of opinion that the Government should have a control over it and the Ayurveda institutions may have the help of the Siddha Vaidya experts. There is the Ayurveda College and we have an expert in the Siddha Vaidya system and if Government is to encourage the system, they must have a proper person to supervise and see that the aid given to institutions and vaidyans is properly utilised and given to the most competent persons. With these words I support the resolution.

Mr. V. S. Arumugham Pillai : Sir, before the official member rises to speak, I may be permitted to move the following amendment. My amendment is to delete "Nagercoil" and to add at the end of the resolution "and a Siddha Vaidya hospital at Nagercoil," With the amendment the resolution will read thus :

> "This council recommends to the Government that free Ayurveda hospitals be established in the towns of Quilon, Alleppey and Kottayam and a Siddha Vaidya hospital at Nogercoil."

Mrs. Aberaham Gnanasikhamoni (*Nominated*) : I second it.

Mr. C. O. Madhavan : Sir, speaking first about the motion brought forward by Mr. T. K. Kittan I may at once inform him that the Government have long since realised the growing popularity of the Ayurvedic system of treatment. The Ayurvedic Department was organised in Travancore about 50 years ago and a College for the teaching of the Ayurveda system of treatment was also established at almost the same time. Men and women who got out of the College have been opening dispensaries and hospitals in different parts of the state and the Government have been granting recognition and giving grants to these dispensaries and hospitals so much so that we can now see an Ayurvedic dispensary in almost every part of Travancore.

Coming to the question of hospitals, which is directly the subject matter of the resolution of Mr. T. K. Kittan, I may inform the House that at present there are aided Ayurvedic hospitals in Nagercoil, Quilon and Kilimanoor, besides the Departmental hospital conducted in Trivandrum itself. A similar resolution for the establishment of Ayurvedic hospitals in all important towns in the State was moved in a session of the Sri Mulam Assembly in November last by Mr. T. P. Velayudhan Pillai and the resolution was passed in that House. In pursuance of that resolution the question was referred to the Director of Ayurveda and the matter is now under his consideration. It may be expected that when he submits his report, the Government will take up the question of opening more hospitals in places where they are most needed and are likely to be most useful. I may also inform the House that the Government have now, as the House already knows, appointed as the Head of the Department of Ayurveda one of the most eminent Ayurvedic physicians not only in Travancore or Kerala but in the whole of South India and we may trust him to develop the Department to its fullest possible extent of utility to the people.

Coming to the amendment of Mr. V. S. Arumugham Pillai, I may inform him that the Government have not been overlooking the usefulness of the Siddha Vaidya system of treatment. At present there are six Siddha Vaidyans receiving a grant of Rs. 15 each per mensem from the Government. There is a Siddha Vaidya Ashram opened at Munchira by a sanyasin.

He has approached Government for help in the direction of a site and building grant and in other ways too. That question also has been referred to the Director of Ayurveda and when he submits his report Government will certainly pay due attention to the recommendations of the Director.

Mr, V. S. Arumugham Pillai: May I know whether there was not a special allotment for the development of Siddha medical science in the last year's Budget ?

Mr. C. O. Madhavan : Without looking into the papers I cannot say anything definitely about it. If at all it might be included in the Budget for the Department of Ayurveda. I am subject to correction, because I am speaking without reference to the Budget. What I want to impress on the House is that this system of treatment has not been completely ignored by the Government.

So far as the opening of hospitals is concerned, it is not known whether there are persons who possess the requisite qualifications to conduct a Siddha Hospital on a satisfactory basis. At Nagercoil there is a flourishing Ayurvedic hospital. I do not want to enter into any controversy regarding the relative popularity of the

[Mr. C. O. Madhavan.]

Ayurvedic and the siddha systems of treatment in the Tamil parts of the country. All that I wish to say is that the Siddha Vydia system of treatment also is receiving all possible consideration at the hands of the Government. As the Government are doing all that the resolution wants, either with or without the amendment the honourable mover may consider whether there is any real necessity for pressing his resolution.

Mr. T. K. Kittan: ഇതു വളരെ അത്യാവശ്യമുള്ള ഒരു സംഗതിയാണ്. സാധുക്കളായുള്ളവർക്കു വൈദ്യസഹായം ലഭിക്കുക എന്നുള്ളതു് ഒരു നിസ്സാരസംഗതിയല്ല. ഞാൻ അയച്ച പ്രമേയത്തിൽ നാലു സ്ഥലത്തെ പേരുകളാണു പറഞ്ഞിട്ടുള്ളതു്. ഈ രാജ്യത്തു് പ്രധാനമായി ൫ മുനിസിപ്പാലിററികളാണുള്ളതു്. തിരുവനന്തപുരം, നാഗർകോവിൽ, കൊല്ലം, ആലപ്പുഴ, കോട്ടയം എന്നിവയാണ്. ഇതിൽ തിരുവനന്തപുരത്തു് ഇപ്പോൾ ഒരു ആയുർവേദ ധർമ്മാശുപത്രിയുണ്ടു്. ബാക്കി നാലു സ്ഥലത്തും ആയുർവേദ ധർമ്മാശുപത്രികൾ സ്ഥാപിക്കണമെന്നാണ് ഞാൻ ആവശ്യപ്പെട്ടിരിക്കുന്നതു. ജനപ്പെരുപ്പത്തിന്റെ മുറയനുസരിച്ചാണ് പ്രമേയത്തിൽ സ്ഥലങ്ങളുടെ പേരുകൾ ഞാൻ കാണിച്ചിരുന്നതു്. എന്റെ സ്ഥലം കോട്ടയത്താണ്. എന്റെ ആവശ്യംകൊണ്ടായിരുന്നുവെങ്കിൽ പ്രമേയത്തിൽ കോട്ടയം ഒന്നാമതായി ഞാൻ കാണിക്കുമായിരുന്നു. നാഗർകോവിലിലെ ബഹുമാനപ്പെട്ട മെമ്പർ അവിടെ ആയുർവേദ ആശുപത്രിയുടെ ആവശ്യം ഇല്ലെന്നു പറയുന്നു. ആ വിവരം ഞാൻ അറിഞ്ഞില്ല. വേണ്ടെങ്കിൽ വേണ്ട. ബാക്കിയുള്ള സ്ഥലങ്ങളിലെങ്കിലും സ്ഥാപിച്ചുതരണം. ഈ പ്രമേയം വോട്ടിനിടണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

President: The question before the House is the amendment of Mr. Arumukham Pillai to the resolution, which was first placed before the House. It is as follows:

"To delete 'Nagercoil' and insert 'a Siddha Vydia hospital at Nagercoil' at the end."

The motion was put and carried.

The question before the House is the resolution as amended by Mr. Arumukham Pillai which reads as follows.

> "This Council recommends to the Government that free Ayurveda hospitals be established in the towns of Quilon, Alleppey and Kottayam and a Siddha Vydia hospital at Nagercoil."

The resolution was put to vote and carried.

Mr. T. K. Kittan: സർ, ഈ രാജ്യത്തെ ഭിക്ഷക്കാരെ സംബന്ധിക്കുന്ന ഒരു നിവേദനമാണ് ഞാൻ കൊണ്ടുവന്നിട്ടുള്ളത്. പകർച്ചവ്യാധിയുള്ള ആളുകൾ ജനക്കൂട്ടത്തിൽവന്ന് ഭിക്ഷയെടുക്കുന്നതുകൊണ്ട് വ്യാധികൾ ജനങ്ങളുടെയിടയിൽ പകർന്നുകൊണ്ടിരിക്കുന്നു. ഈ സമ്പ്രദായം നിറുത്തൽചെയ്യണമെന്നാണു ഞാൻ പറയുന്നത്. ഈ രോഗങ്ങൾ പകരാതിരിക്കുന്നതിനും ഈ വിഷമതകൾ ഉണ്ടാകാതിരിക്കുന്നതിനുമായി പകർച്ചവ്യാധിയുള്ള ഭിക്ഷക്കാരെ കണ്ടുപിടിച്ച് അവരെ പ്രത്യേകം സൂക്ഷിച്ചു ചികിത്സിച്ചു സംരക്ഷിക്കേണ്ടതാണു. ഇതിനുവേണ്ടി കഴിവുള്ള ശ്രമങ്ങളെല്ലാം ഗവൺമെന്റു ചെയ്യണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

ഇവിടെയുള്ള ഭിക്ഷക്കാരെ മൂന്നു തരമായി തിരിക്കാം. ഒന്നാമത്തു ഞാൻ ഇപ്പോൾ പറഞ്ഞ പകർച്ചവ്യാധിയുള്ള ആളുകൾ. രണ്ടാമത്തു യഥാർത്ഥമായി ഭിക്ഷകൊടുക്കുന്നതിന് അർഹന്മാരായ അംഗഭംഗംവന്ന ആളുകൾ. അവർക്കു രോഗങ്ങൾ ഒന്നുമില്ല. പക്ഷേ കാലൊടിഞ്ഞവരും കൈ ഇല്ലാത്തവരും കണ്ണു പൊട്ടിഞ്ഞവരുമൊക്കെ ആയിരിക്കും. ഇനി മൂന്നാമത്ത് ഒരുക്കൂട്ടർ ഉണ്ട്. അവർക്കു യാതൊരു സുഖക്കേടുമില്ല; അംഗഭംഗവുമില്ല. അവർക്കു വേലചെയ്തു കഴിയുന്നതിനു പ്രയാസമില്ല. എങ്കിലും ഭിക്ഷവൃത്തിതന്നെ അവർ തൊഴിലായി സ്വീകരിച്ചിരിക്കുന്നു.

President: I hope the honourable member will realise that this resolution cannot be carried into effect without a legislation for the compulsory seggregation of beggars afflicted with contagious diseases.

Mr. T. K. Kittan: ഈ രാജ്യത്ത് ഇതിനെ സംബന്ധിക്കുന്ന നിയമമില്ലെങ്കിൽ ഒരു നിയമം ഉണ്ടാക്കണമെന്നുകൂടി ഞാൻ അപേക്ഷിക്കുന്നു. രാജ്യത്തിൽ അങ്ങനെ ഒരു നിയമം ഉണ്ടാക്കി ഈ ഭിക്ഷക്കാരെ നിയന്ത്രിച്ചില്ലെങ്കിൽ അത് ഒരു വലിയ ആപത്തുതന്നെയായിരിക്കും. യാചകന്മാർ അവരുടെ ഭാര്യമാരുമായിട്ടാണ് ഭിക്ഷയ്ക്കു നടക്കുന്നത്. ഇവർക്കു ധാരാളം സന്താനങ്ങളും ഉണ്ടാകുന്നുണ്ട്. ഇവരെ വേണ്ടവിധം നിയന്ത്രിച്ചില്ലെങ്കിൽ കാലക്രമേണ ഇവിടെ ഒരു "തെണ്ടിസമുദായം" തന്നെ ഉണ്ടാകയില്ലയോ എന്നു ഞാൻ ഭയപ്പെടുന്നു. നിശ്ചയമായും ഇതിന് ഒരു നിയമംതന്നെ ഉണ്ടാക്കണം

Mr. K. K. Kuruvila (*Mavelikara and Tiruvalla cum Pattanamtitta*): I rise to support the resolution moved by Mr. Kittan. He has graded the beggars into three different sections and I also propose to divide them into three, but on a different basis. I find there are beggars in the locality, there are beggars who come from outside to the locality and a third kind who cannot help themselves. I feel that in the case of the first two types, the municipalities could do a great deal to improve their condition. If the municipalities would pay some attention as to the number of actual beggars in the locality and the number that invade the locality from outside, we may be able to get at some basis on which we can work that problem. I want to deal particularly with the third type. They are people, whom we find often in our streets, people who do not get any outside help and as a consequence whom we have tried to take, at least some of these people, into the hospitals. But the doctors in charge of the hospitals positively refuse to take them in on the ground of want of accommodation in the hospitals. We are led by compassion, but we have no opportunity to exercise our compassion. If there is any opportunity for the socially minded to take these people on the road who are without help and exposed to heat, sun and rain, I think it will be a great blessing to the country. I therefore appeal to the House and you, Sir, to arrive at a device by which the socially minded might be able to take such of these men who cannot help themselves, to the hospitals or to their homes where they can be well provided for.

The other question is whether some legislation is not necessary for the purpose. If necessary that has to be done. I want to emphasise that it is the duty of any civilized State to render all aid to this particular type of people. With these words, I support the resolution.

Mr. C. O. Madhavan: Sir, the resolution moved by Mr. Kittan raises a question which is rather complicated. Here, so far as difficulty in actual experience goes, it is not one of finding...

Mr. T. K. Kittan: മറുപടി മലയാളത്തിൽ പറഞ്ഞാൽകൊള്ളാം.

Mr. C. O. Madhavan: May I speak, Sir?

President: It is open to the honourable member to answer in Malayalam if he chooses to do so.

Mr. C. O. Madhavan: Mr. Kittan can understand English very well. He can talk as well. But if the member is really particular, I have no objection to answer in Malayalam.

President: What does the honourable member want?

Mr. T. K. Kittan: ബഹുമാനപ്പെട്ട മെമ്പർ മറുപടി മലയാളത്തിൽ പറഞ്ഞാൽകൊള്ളാമെന്നാണ് ഞാൻ അപേക്ഷിക്കുന്നത്.

President: Why? I am told that—I am subject to correction—the honourable member can read and understand English well. If the honourable member, as the mover of the resolution, cannot follow English, I can well-understand the necessity to have the reply speech in Malayalam, so that he can take any line he likes. But otherwise, if he speaks in Malayalam, it is likely other honourable members may say that they don't follow him; or understand him. Therefore, unless the honourable member can assure the House that he does not follow the member, I have to rule otherwise.

The honourable member will proceed in the language in which he began.

Mr. C. O. Madhavan: The problem is not one of finding accommodation for the beggars. It is one of keeping them in the asylum provided for them. For instance, in the Sri Chitra House for the Destitute and the Infirm, the difficulty experienced, is not for providing accommodation for people who resort to it, but for keeping them there. The men and women who are taken over there are provided with all sorts of comforts and conveniences, but after a few days they prefer going out and roaming about the streets.

Mr. K. K. Kuruvila: Does the member know that there is a poor home in Pudupalli where there are about 40 inmates and who, I understand, are living there very comfortably under the attention of voluntary workers? If you have some such system, does not the member think it advisable to follow that?

Mr. C. O. Madhavan: I accept that information from the member. I must confess that I am not aware of that. But, I am speaking from my own personal knowledge of what takes place here in Trivandrum.

President: The time being 3-30 the House will now proceed to consider the motion for adjournment.

ADJOURNMENT MOTION.

Mr. Kottur Kunjukrishna Pillai: Sir, I rise to make the following motion for the adjurnment of the business of the house:—

"I beg leave to move for the adjournment of the business of this House for the purpose of discussing a definite matter of urgent public importance, namely, the serious situation caused by the recent and regular assemblage of persons under the name of the All Travancore Youth League prompted and supported by the State Congress culminating in the incidents of the 4th Chingom 1114 (20th August 1938) when in front of the Tampanur Railway Station

[Mr. Kottur Kunjukrishna Pillai.]

several such persons harangued the crowd and incited them to acts of violence, and subsequently paraded the public streets assaulting policemen lawfully employed in the discharge of their duties, wilfully overturning and damaging traffic posts and signals, destorying street lights, attacking and damaging public passenger-vehicles and pelting innocent passers-by with stones and causing diverse other injuries to life and property, and to urge on the attention of Government the imperative necessity of taking adequate measures to restore tranquillity."

I wish to bring to the notice of this House and Government the serious situation arising out of all these incidents mentioned in the motion and to press on the attention of Government the urgent necessity to take adequate measures to safeguard the life and property of law abiding citizens and make it possible for us to live in peace in this land. Sir, during the discussion of the budget, I had occasion to point out—not merely myself but my honourable friends Mr. Muhammed Ismail, Mr. Padiyara Joseph Kunju and Mr. Simon—the very serious laxity that is now in existence with regard to the control of the rowdy and the hooligan elements that are making life of peaceful citizens impossible in this city and in various other parts of the State. (*Hear, hear.*) I am constrained to bring this matter to this House and discuss it and draw again the attention of the Government to this fact because there has been a repetition of the evils and dangers that we were complaining against in the course of the discussion of the budget in an accentuated form on the fourth of this month. Sir, the incidents are well known to all the members of this House and to the public. What were those incidents ? A body of people called the All-Travancore Youth League wanted to hold a conference and a socialist by name Srimathi Kamala Devi has been invited to preside over that conference. A prohibitory order was issued restraining her from taking part in the meeting and making speeches. Another order was served prohibiting her from entering the State territory. But all those orders and precautions taken by the authorities were pooh poohed and they were violated and that respectable lady came and took her lodging in the Trivandrum Railway Station under the technical ground that that place was not within the jurisdiction of the Magistrate. Eventually the order was disobeyed. If it was the purpose and intention of the Youth League Organisation and its President merely to violate the order and show to the public that they were not prepared to respect the order it could have been done by the President by coming out of the Railway Station, as soon as she reached Trivandrum. But instead of that she wanted to gather the crowd and rouse them, by keeping them in suspence.

She remained in the Railway Station retiring room without stirring out, held interviews and thus excited and collected the crowd on the road and then she came out with all the paraphernalea of revolutionary Slogans which have now become the order of the day. The mob was roused to a frenzy when the lady dramatically came out and disobeyed the order in front of the Railway Station. She was arrested and produced before the magistrate with due expedition. But when the crowd gets excited, it works havoc. The crowd was then harangued by the customary Youth League harangued by the usual speakers, all of them socialists or communists and most of them members of the State Congress. I do not understand the subtle distinction between them and the State Congress members. They have one object in common and that is to create disaffection, a violent atmosphere, to attack the established system and to promote disloyalty and contempt for authority. They have been haranguing every evening like this for some time. I have had occasion to point out that. But nothing was done.

President : Was any body arrested by the Police ?

Mr. M. Ramachandra Rao : No, Sir. The matter is under consideration.

Mr. Kottur Kunjukrishna Pillai : Sir, those persons have been persistent in their attack. Those names are well known. Messrs G. Sreedhar, Sankaranarayanan Tampi, Damodaran, a man from Malabar, a socialist, Kunjuraman Nair of whom mention has been made on another occasion elsewhere in a memorable way, and N. P. Kurukkal, and some others made very violent speeches on that day.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether it is a charge sheet read out by my friend ?

President : I think the honourable member is making a speech.

Mr. Kottur Kunjukrishna Pillai: Sir, I shall not allow myself to be drawn into irrelevance by the remarks of my honourable friend.

President : I think you may ignore them.

Mr. Kottur Kunjukrishna Pillai : Now what was the content of their speeches. One of the speakers described the establishment of democracy in England after the people's fight with Charles I. He detailed the circumstances which led to the execution of Charles I.

Mr. R. V. Thomas : May I know whether the member was present on the occasion ?

Mr. Kottur Kunjukrishna Pillai : I have got reliable reports from papers and persons who were present at the meeting.

Mr. Nedumangad R Kesavan Nair : Sir, I rise to a point of order, whether it is proper for a member to refer to records which are not in possession of the House.

President : It is not open to any honourable member to refer to the contents of a document without placing it before the House.

Mr. Kottur Kunjukrisha Pillai : I am not referring to the contents of any record. I am placing before the House a simple narrative of what took place on the 4th of Chingom as I was able to gather personally and from reports.

Mr. Kochikal P. Balakrishnan Tampi : Sir, is it in order to refer to disloyal statements so as to make it appear that the member is loyal and standing by the side of Government ?

President : It is not a point of order that he has raised. The honourable member who is now on his legs is endeavouring to point out that the speeches incited to revolution and I think it will be clear if honourable members will look into the newspaper reports. The honourable member is saying that revolutionary speeches were made.

Mr. Kottoor Kunjukrishna Pillai : I was trying to say that these speeches excited the mob. I think it is my duty to place before the House the circumstances in which the mob was roused into a frenzy. As a result of these incitements, the mob was excited and the violent acts followed.

Mr. R. V. Thomas : Is the member in order in disclosing the contents of those speeches ?

President : The honourable member is quite in order. He is not referring to a document. Honourable members who have been staying in Trivandrum know that reference was made in the speeches to the days of Charles I.

Mr. Kottur Kunjukrishna Pillai : These lurid pictures were given to the unthinking mob. One man compared the Government to a rock. One man went and smashed against it and fell back, another person went and smashed against it and he was destroyed. Therefore, let us all go together and give a push and overthrow this rock. That is the method and then, "*inqulab sindabad* !" Long live revolution ! That was the cry of those persons haranguing the crowd. After the meeting the crowd moved. When the crowd reached near the over-bridge at the junction they overthrew the traffic constable on duty. The canopy was broken and thrown assunder. Then the constable was beaten and was

dragged from that spot to the police Head quarters. Immagine the police constable being literally dragged to the Head quarters, along the road for a distance of more than hundred yards all because he was a policeman, and think of the effect of it. Then came the attack on the Transport buses. Sir, the Transport buses are of great political importance in the agitation of the State Congress and the Youth League and they mix it up with responsible government. This State Congress agitation it must be remembered is propped up by disgruntled vested interests. You will find that in every political demonstration and out burst enginured by the State Congress the state Transport buses are attacked. A number of buses were attacked, innocent travellers and even one lady was wounded. My friend Mr. Joseph Kunju's maid servant who was travelling in a bus was very seriously wounded by the stone thrown and another traveller in that bus who has also been seriously wounded fainted on the spot. One driver has been seriously wounded. The fury did not stop there. They were shouting "whose car is that. Is it the car of so and so. Stop that car." That was stopped. Then one man said "I am the brother of Nagappan Nair." Then they asked him to shout some *Ki Jai*.

President: What does it mean? Is there any word called "Kee Jai."

Mr. Kottur Kunjukrishna Pillai: They add some slogan or name before Ki-Jai. After that the car was allowed to go. The reporter of the 'Malayala Rajyam' was specifically enquired by them for attack. I give all these details to show that the Youth League and the State Congress are directly involved in this, as evidenced by the political preferences shown. I have made that charge in the motion and it is up to me to point out this circumstance. It is clear from these circumstances, that the Youth-league was directly responsible for these incidents, and that there is little difference between the Youth League and the State Congress. The discrimination shown by the crowd in attacking persons, in accordance with their political views clearly show, the guiding hand of a political party in these incidents and attacks. It may be asked by that body called the State Congress "what have we to do with these things? We have accepted the creed of non-violence. We are the lineal descendants of Gandhian principles. We are the true followers of Mahatma Gandhi and our creed is truth and non-violence. We have nothing to do with the Youth League." Last time when there were many acts of hooliganism committed by students and others the State Congress disclaimed all responsiblity for

[Mr. Kottur Kunjukrishna Pillai.]

that and voted in favour of the adjournment motion to demonstrate their inncсense. But what did they do? They afterwards patted the young men on their back and encouraged them by calling their acts childish pranks. Sir, I emphatically assert that the State Congress cannot disclaim their connection with the Youth League, we find that throughout Travancore the State Congress leaders are holding meetings for establishing branches of the Youth League, and to carry on the propaganda of the State Congress. What does this organisation stand for? What are its rules? When did it come into existence? Nobody could answer these questions. Sir, it is very difficult to find a difference between the Youth League and the State Congress. Their aims are common, their methods are common. It is true that the acts are done by State Congress members who are also members of the Youth League. Therefore, what I wish to point out to the House is that the State Congress prompts the Youth League and it has been responsible for all these acts of violence. Sir, responsible government does not mean anarchy. If we are asked whether it is responsible government or peace and tranquillity in the land that we want, there can be no difference of opinion that every citizen who has the interests of his country at heart would choose the latter.

President: The honourable member has four minutes more.

Mr. Kottur Kunjukrishna Pillai: No amount of assertion on the part of the State Congress that they are peaceful can be accepted so long as there are the actual facts to disprove these assertions. It is not good to proclaim that "we are all non-violent" and then to act otherwise. Sir, it has been very specifically stated in a pamphlet published under the joint names of one Srikantan Nair and one Thanu Pillai who are joint secretaries of the Youth League in this manner "We appeal to the people of the country that hereafter we should have only certain revolutionary cries which will rouse the people to action."

Mr. Nedumangad R. Kesavan Nair: Is the member in order in referring to the contents of a document which we are not in possession of?

President: Honourable member may place the document on the table of the House after reading it.

Mr. Kottur Kunjukrishna Pillai: I shall place it, Sir. This is the document. Should I read the whole of it?

"Circulate this

വിജ്ഞാപനം.

അഖിലതിരുവിതാംകൂർ യൂത്ത് ലീഗിൽനിന്ന്.

നാം സാധാരണ ഘോഷയാത്രകളും യോഗങ്ങളും എന്നിവ നടത്തുന്ന അവസരങ്ങളിൽ പ്രത്യേകം ഓർമ്മിക്കേണ്ടതായ ചില വസ്തുതകളും ഉണ്ട്. നാം നടത്തുന്ന പ്രവർ

ത്തനങ്ങളിൽ ഭാഗഭാക്കാകുന്നവർ ശരിയായ അച്ചടക്കവ്യവസ്ഥകൾ (Discipline) പരിപാലിക്കേണ്ടതു് അത്യാവശ്യമാണ്. നിരുത്തരവാദികളും ചില പ്രത്യേകതാല്പര്യക്കാരുടെ ആയുധങ്ങളും മാത്രമായ ഏതാനും ആളുകൾ അത്തരം പ്രവർത്തനങ്ങളിൽ നാം ഏർപ്പെട്ടിരിക്കുന്ന അവസരത്തിൽ ആയതുകൾക്കുള്ളിൽ കടന്നുവന്ന് അവഹേളനപരമായ ചില നടപടികൾ നടത്താറുള്ളതു നാം കണ്ടിട്ടുണ്ടല്ലോ."

President: The honourable member will read slowly.

Mr. Kottur Kunjukishna Pillai: Sir, the time allotted to me is very short.

President: I shall extend the time so that the honourable House may know what the contents of the document are.

Mr. Kottur Kunjukrishna Pillai: "അതിനൊക്കെയും കാരണം നമുക്ക് ശരിയായ ശിക്ഷണബോധം ഇല്ലാതിരുന്നതുകൊണ്ടുതന്നെയാണ്. സമ്മേളനഭാരവാഹികളുടെ പരിപാടികൾ അനുസരിച്ച് പ്രവർത്തിക്കുന്നതിനു അവരെ സഹായിക്കുകയാണ് സദസ്യരുടെ കടമ. പ്രവർത്തനങ്ങൾക്കിടയിൽ എന്തെല്ലാം തന്നെ നടന്നിരുന്നാലും അക്ഷോഭ്യരായി സകലരും കഴിയുകയാണെങ്കിൽ കാര്യപരിപാടി അനുസരിച്ച് കാര്യങ്ങൾ മംഗളമായി പര്യവസാനിക്കും. കൂടാതെ യോഗനടപടികളെ അലങ്കോലപ്പെടുത്താൻ ആരംഭിക്കുന്നവരെ കണ്ടുപിടിച്ച് അവരുടെ ദുർനടപടികളിൽനിന്നും അവരെ വിരമിപ്പിക്കുന്നതിന് യോഗഭാരവാഹികൾക്കു സാധിക്കുന്നതുമാണ്.

പ്രകടനങ്ങൾ നടത്തി ഒരു പൗരന് തന്റെ അഭിപ്രായങ്ങളെ പ്രകടിപ്പിക്കുന്നതിനുള്ള അവകാശം ജന്മസിദ്ധമാണ്. അതുമാത്രവുമല്ല ആവിധ പ്രകടനങ്ങൾ നടത്തുന്നതുകൊണ്ട് പ്രസ്ഥാനം ഉത്തരോത്തരം ശക്തിപ്പെട്ടുവരുമെന്നുള്ളതും വാസ്തവം തന്നെ. പക്ഷെ നാം ആ വിധം പ്രവർത്തിക്കുന്ന അവസരങ്ങളിലെല്ലാം പല വസ്തുതകളും പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതുണ്ട്. ആവിധ പ്രകടനങ്ങൾകൊണ്ടു നമ്മുടെയെല്ലാം ഉൽപ്രചരണങ്ങളുടെ യാഥാർത്ഥ്യങ്ങളാണോ ലോകർക്ക് സൂക്ഷ്മസ്ഥിതിയിൽ മനസ്സിലാക്കുവാൻ സാധിക്കുന്നു, നാട്ടാരുടെ അനുമതിശാസനം നമുക്കുണ്ടെന്നു ബോദ്ധ്യംവരുന്നതിൽ സങ്കടമുള്ളതു് ഏതു കൂട്ടർക്കാകുന്നുവോ, നാട്ടിൽ ഒരു യഥാർത്ഥ ഉത്തരവാദിത്വഭരണം സംസ്ഥാപിതമാകുന്നതുകൊണ്ട് ഏതൊരു വർഗ്ഗത്തിന്റെ (class) സ്ഥാപിതതാൽപ്പര്യങ്ങൾക്കാണോ നാശം സംഭവിക്കുന്നതു് അക്കൂട്ടർ നമ്മുടെ പ്രകടനങ്ങളിൽ അവകളിലില്ലാത്ത കുറ്റവും കുറവുകളും ദോഷങ്ങളും അവകളിൽ ഉണ്ടെന്നു ലോകരെ തെറ്റിദ്ധരിപ്പിക്കുന്നതിന് അക്ഷീണപരിശ്രമം ചെയ്തുകൊണ്ടിരിക്കുകയാണെന്നുള്ള വസ്തുത ഇതിനകം ലോകർ മനസ്സിലാക്കീട്ടുണ്ടല്ലോ.

നമ്മുടെ ന്യായവും അക്രമരഹിതവുമായ പ്രക്ഷോഭത്തെ നശിപ്പിക്കുവാൻവേണ്ടി ആ എതിർശക്തികൾ പല ഗൂഢാലോചനകളും ചെയ്തുവരുന്നുണ്ട്. അക്രമരഹിതരായ ജനങ്ങളുടെ പൊതുയോഗത്തിലും ഘോഷയാത്രയിലും "ഏജൻറ് പ്രവോക്കേറർ"മാരായ കിങ്കരജീവികളെ അയച്ച് കല്ലെറിയുക തുടങ്ങിയ ചില അക്രമങ്ങൾ പ്രവർത്തിക്കുകയും അങ്ങിനെ അക്രമരാഹിത്യത്തോടെ സമരംചെയ്യുന്ന നമ്മൾ അക്രമപ്രസക്തരാണെന്നു വരുത്തിക്കൂട്ടുകയും ആണ് അവരുടെ ഉദ്ദേശം."

That is shifting the responsibility on some other persons.

President: The honourable. member may proceed.

Mr. Kottur KunjuKrishna Pillai: "ഇന്നലെ രാത്രിയും ആവിധം ചില ഏജൻറ പ്രവോക്കേറർമാർ കാൺഫറൻസുകഴിഞ്ഞു തിരിച്ചു പോകുന്ന

[Mr. Kottur Kunjukrishna Pillai.]

ജനങ്ങളുടെ കൂട്ടത്തിൽ കയറി പല അക്രമങ്ങളും നടത്തുകയുണ്ടായി എന്നു കേൾക്കുന്നു. അതു വാസ്തവമാണെങ്കിലും അല്ലെങ്കിലും അത്തരം പ്രവർത്തികളിൽ പൊതുജനങ്ങൾക്കു യാതൊരു കയ്യുമില്ലെന്നും, നമ്മൾ അത്തരം പ്രവർത്തികളെ വെറുക്കുന്നുവെന്നും കാണിക്കേണ്ട അവസരം ഉണ്ടായിരിക്കുന്നു. അക്കൂട്ടർ നമ്മുടെയിടയിൽ വന്നു ചേരാതിരിക്കുന്നതിന് നാം പ്രത്യേകം സൂക്ഷിക്കണം. അവരെ കണ്ടുപിടിക്കുന്നതിനു എളുപ്പവഴി ഒന്നുമാത്രമാണ്. നമ്മുടെ കൂട്ടത്തിൽനിന്നുകൊണ്ടു അക്രമപ്രവർത്തികൾക്കു പ്രേരിപ്പിക്കുകയോ അക്രമങ്ങൾ ചെയ്യുകയോ ചെയ്യുന്നവരെല്ലാംതന്നെ അത്തരക്കാരാണെന്നു് നാം തീരുമാനിക്കുകമാത്രമാണ്. അവരെ ഉടൻ അക്കൂട്ടത്തിൽനിന്നു മാറ്റുകയാണ് നാം ചെയ്യേണ്ടതു്. ഉത്തരവാദഭരണപ്രക്ഷോഭത്തെ പിന്നിൽനിന്നു തകർക്കുവാനുള്ള നികൃഷ്ടമായ സൂത്രങ്ങളിൽ ഒന്നുമാത്രമാണ് അത്തരക്കാരെ അയക്കുന്നതു്. അതിനാൽ ജനങ്ങൾ എത്രതന്നെ ക്ഷോഭം നിറഞ്ഞ അവസരത്തിലും അക്രമരഹിതരും അച്ചടക്കമുള്ളവരുമായിരുന്നു് എതിരാളികളുടെ അക്രമങ്ങളെ അപ്പപ്പോൾ കണ്ടുപിടിച്ചു വെളിപ്പെടുത്തുവാൻ ശ്രമിക്കേണ്ടതാണു. അത്തരം ധൂമകേതുക്കളുടെ ഗൂഢതന്ത്രങ്ങളും നീചവൃത്തികളും ഫലരഹിതമായിത്തീരുന്നതിനു ദേശസ്നേഹികളായ ഈ നാട്ടിലെ പൌരസഞ്ചയം ചില വസ്തുതകൾ തികച്ചും മനസ്സിലാക്കിയിരിക്കേണ്ടതാണ്.

നിർദ്ദേശങ്ങൾ.

൧. നാം ഇന്നാരംഭിച്ചിരിക്കുന്ന ഈ സമരത്തിൽ നമ്മുടെ അവകാശാധികാരങ്ങൾ സ്ഥാപിക്കുന്നതിനുള്ള ഈ സമരത്തിൽ നമുക്കുള്ള ഏകാവലംബം അക്രമരാഹിത്യം മാത്രമാണ്. അതിനാൽ ഏതു പരിതസ്ഥിതിയിലും തികച്ചും അക്രമരാഹിത്യം നാം പരിപാലിക്കേണ്ടതാണ്.

൨. ഒരു സ്ഥലത്തുനിന്നുകൊണ്ടു പ്രകടനം നടത്തുന്നവർ റോഡിന്റെ ഇരുവശങ്ങളിലും നിന്നുകൊണ്ടു മാത്രമേ പ്രകടനം നടത്താവൂ.

൩. ഘോഷയാത്രയായി പോകുന്ന അവസരത്തിൽ നമുക്കുള്ള ഉത്തരവാദിത്വം കൂടുതലാണ്. ഓരോ വരിയിലും മൂന്നോ നാലോ ആളുകളായി റോഡിന്റെ ഇടതുവശം ചേർന്നുമാത്രമേ നാം മാർച്ചു ചെയ്യാവൂ. യാതൊരു കാരണവശാലും റോഡ് നിറഞ്ഞുപോകുവാൻ പാടുള്ളതല്ല. വാഹനഗതാഗതങ്ങൾക്കു സൗകര്യത്തിനായി റോഡിന്റെ മറുഭാഗങ്ങൾ പൂർണ്ണമായി ഒഴിച്ചിട്ടിരിക്കണം. എല്ലാ അവസരങ്ങളിലും ട്രാഫിക്ക് ചട്ടങ്ങൾക്കു വിധേയമായിത്തന്നെ ആയിരിക്കണം നാം മാർച്ചു ചെയ്യേണ്ടതു.

൪. "ജയജയ" ആരവങ്ങൾ മുഴക്കുമ്പോഴും മററു മുദ്രാവാക്യങ്ങൾ (Slogans) വിളിക്കുമ്പോഴും ഒരു വ്യക്തിയെ ഘടിപ്പിച്ചു് ജയഘോഷം മുഴക്കുന്നതു അനാശാസ്യമാണ്. ആദർശങ്ങളുടെ മഹത്വം യാതൊരു കാരണവശാലും കുറയുന്നതല്ല. പക്ഷെ വ്യക്തിമാഹാത്മ്യത്തിനു ഇടിവു സംഭവിച്ചേക്കാം. ഭാരതാംബയ്ക്കും ശ്രീവഞ്ചിജനതക്കും നമ്മുടെ ഭക്തിബഹുമാനാദരവുകൾക്കു പാത്രീഭവിച്ചിട്ടുള്ള സംഘടനകൾക്കുംമാത്രമേ "ജയ" ശബ്ദം മുഴക്കാവൂ.

൫. പൊതുവെ നാട്ടാരുടെയിടയിൽ ഒരു വിപ്ലവമനസ്ഥിതി ജനിപ്പിക്കുന്നതും അവരെ ഉത്തേജിപ്പിക്കുന്നതിനു ഉതകുന്നതുമായ മുദ്രാവാക്യങ്ങൾ (Slogans) മാത്രമേ നാം ഉപയോഗിക്കാവൂ, അവയിൽ ചിലതു താഴെ ചേർക്കുന്നു.

"വിപ്ലവം—നീണാൾ ജയിക്കട്ടെ" "സാമ്രാജ്യത്വം—നശിക്കട്ടെ" "മാടമ്പിത്വം—തുലയട്ടെ" "പൌരസ്വാതന്ത്ര്യം—നേടുവിൻ" "കർഷകനു ഭൂമി" "തൊഴിലാളിക്കു—വ്യവസായശാല" "തൊഴിലില്ലാത്തവനു—ജോലി" "വിദ്യാഭ്യാസം—സൗജന്യം" "നികുതിഭാരം നീക്കുവിൻ" "ഞങ്ങൾക്കു സ്വാതന്ത്ര്യം" "ഉത്തരവാദഭരണപ്രക്ഷോഭത്തിനു—തയാർ" "ഇൻക്വിലാബ്—സിന്ദാബാദ്."

ഈവിധ സ്ലോഗൻസ് വിളിക്കുന്നതിൽ ഒരു സംഗതി പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതുണ്ട്. അവ കൂടി ശക്തിമത്താകുന്നതിനു ആരെങ്കിലും ഒരാൾ ആദ്യപദം ഉറക്കെ വിളിക്കുകയും മററുള്ളവർ ശേഷംഭാഗം ഉച്ചത്തിൽ ഉൽഘോഷിക്കയും ചെയ്യേണ്ടതാണു. പക്ഷേ പലരും പലസ്ലോഗൻസിൻെറ ആദ്യപദങ്ങൾ ഒരുമിച്ചു വിളിക്കാതിരിക്കുന്നതിനു നാം പ്രത്യേകം സൂക്ഷിക്കേണ്ടതാണ്.

പ്രിയസഹോദരരെ, ഈ അവസരത്തിൽ ഈവിധ ചില നിർദ്ദേശങ്ങൾ പ്രസിദ്ധീകരിക്കുന്നതിനുള്ള കാരണങ്ങൾ നിങ്ങൾ ഇതിനകം ഊഹിച്ചിരിക്കുമെന്ന് വിശ്വസിക്കുന്നു. ക്ഷോഭജനകങ്ങളായ പല സംഭവങ്ങളും ഇന്നത്തെ യോഗത്തിൽ ഉണ്ടായെന്നു വരാം. ആ അവസരത്തിലെല്ലാം തന്നെ മേൽകാണിച്ചിരിക്കുന്ന നിർദ്ദേശങ്ങൾ എല്ലാപേരും പ്രത്യേക നിഷ്കർഷയോടുകൂടി അനുഷ്ഠിക്കേണ്ടതാണെന്ന് ഞങ്ങൾ അപേക്ഷിച്ചുകൊള്ളുന്നു. വന്ദേ മാതരം.

സഹകാര്യദർശിമാർ } എൻ. ശ്രീകണ്ഠൻനായർ എം. എ.
എൻ. താണുപിള്ള ബി. എ.
M. P. W. T."

Sir, this is the point that I wanted to stress. The document says "you should use only slogans that are calculated to create among the people a revolutionary mentality. We give below some such slogans. Long live re volution ! Down with imperialism ! Let aristocracy perish ! Establish your civil rights. Land for the cultivator. Factory for the labourer. Work for the workless. Free-education. Remove the burden of tax. We are ready for responsible government. Inquilab Sindabad." The pamphlet insists that "you must not have any other slogans except those which are capable of creating a revolutionary mentality among the people and which will rouse up the masses. These alone should be shouted at our meetings. That is the purpose of this pamphlet."

President : Is it signed ?

Mr. Kottur Kunjukrishna Pillai : It is signed Sir.

President : Which is the press which printed this document ?

Mr. Kottur Kunjukrishna Pillai : The name of the press is not given. But it is given M. P. W. T. at the end.

President : The rule in regard to this is given on page 328 of 'May's Parliamentary Practice,' which is as follows :

> "A minister of the crown is not at liberty to read or quote from a despatch or other state paper not before the House, unless he be prepared to lay it upon the table. This restraint is similar to rule of evidence in courts of law, which prevents counsel from citing documents which have not been produced in evidence. The principle is so reasonable that it has not been contested; and when the objection has been made in time, it has been generally acquiesced in. It has also been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interests."

Therefore the honourable member may place it on the table of the Secretary.

Mr. Kottur Kunjukrishna Pillai: Should I do it now?

President: Yes.

(The document was placed on the table of the Secretary).

Mr. Kottur Kunjukrishna Pillai: Sir, I have only very inadequately pictured the terrible incidents that took place on the evening of the 4th Chingom 1114. The necessity for restoring peace and tranquillity in the land has become all the more great and imperative. In this connection I may say that the State Congress is responsible to create an atmosphere like this and by announcing to the public that they were going to disobey the law on the 1st of Chingom which they have not dared to do as yet and now they seem to have postponed it to the 10th of Chingom with a view to keep the tension in the minds of the public.................I challenge the State Congress to declare their policy in regard to this openly if they have got any honesty of purpose.

Mr. R. V. Thomas: Is the member in order in referring to the decision of the State Congress?

Mr. Kottur Kunjukrishna Pillai: Sir, I have heard on reliable authority that the rumour is being spread by the State Congress with regard to the breaking of the law prohibiting their meetings. We heard that it was on the 1st of Chingom that they were going to break the law and now we hear that they are going to break the law on the 10th of Chingom.

President: How does it arise on this matter?

Mr. Kottur Kunjukrishna Pillai: Sir, it is relevant because this kind of rumour always keep the people in a state of ferment. I challenge the party once again whether this is not the motive behind their declaration of disobedience of law. Sir, I place this matter before the House and request the Government to take prompt measures which would enable the citizens of this State to live in peace and tranquillity.

Mr. Padiyara Joseph Kunju (*Nominated*): വാചകത്തിനു അല്പവ്യത്യാസമുണ്ടെങ്കിലും ഞാൻ ഹാജരാക്കിയിട്ടുള്ള അടിയന്തിരപ്രമേയവും ഇപ്പോൾ ഇവിടെ എന്റെ മാന്യസ്നേഹിതൻ മിസ്റ്റർ കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള അവതരിപ്പിച്ചിട്ടുള്ള അടിയന്തിരപ്രമേയവും ഒന്നു തന്നെയാണ്.

സർ, ഈ സമ്മേളനം ആരംഭിച്ചശേഷം രണ്ടോ മൂന്നോ പ്രാവശ്യം ഞാൻ ഗവൺമെന്റിനോട് ആവശ്യപ്പെട്ടതനുസരിച്ച് ഗവർമ്മെന്റു പ്രവർത്തിച്ചിരുന്നുവെങ്കിൽ നിശ്ചയമായും ഈ അടിയന്തിരപ്രമേയം ഇന്നിവിടെ ഹാജരാക്കാനിടവരികയില്ലായിരുന്നു. ഈ അടിയന്തിര പ്രമേയത്തെപ്പററി വളരെ ശക്തിയായ ഭാഷയിൽ ഏററവും വ്യക്തമായ

രീതിയിൽ ഹൃദയസ്പർശമായവിധത്തിൽ എന്റെ മാന്യസ്നേഹിതൻ മി. കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള ഇവിടെ പ്രസ്താവിക്കുകയുണ്ടായി. മഹാത്മാ ഗാന്ധിയുടെ അനുയായികൾ എന്ന് പേരുപറഞ്ഞുകൊണ്ട് സ്വയം അഭിമാനിച്ചുകൊണ്ട്, ഒരു മാതിരി തൊപ്പിക്കാർ ഇവിടെ പ്രത്യക്ഷപ്പെട്ടുതുടങ്ങിയിട്ടുണ്ടെന്ന് കഴിഞ്ഞ ഒരവസരത്തിൽ ഞാൻ പറയുകയുണ്ടായി. ഈ തൊപ്പിക്കാരെക്കൊണ്ട് ...

President: Order, order. The hnouorable member has been concentrating so much on that. On this occasion he may deal with other matters.

Mr. Padiyara Joseph Kunju: കഴിഞ്ഞപ്രാവശ്യം "തൊപ്പിക്കാർ" എന്നു ഞാൻ പറഞ്ഞപ്പോൾ അങ്ങിനെ പറയാമെന്നൊരു റൂളിംഗ് ഉണ്ടായിരുന്നതുകൊണ്ടാണ് ഞാൻ ഇപ്പോഴും പറഞ്ഞത്. ഞാൻ ഇനി ഇവരെ സ്റ്റേറ്റ്കാൺഗ്രസുകാർ എന്നു പറഞ്ഞേക്കാം.

സർ, ഈ സ്റ്റേറ്റ്കാൺഗ്രസ്കാരെക്കൊണ്ടു മററുള്ളവൎക്ക് ഈ നാട്ടിൽ സ്വൈരമായി ജീവിക്കാൻ നിവൃത്തിയില്ലെന്നു വന്നിരിക്കുന്നു. ഇവരുടെ ഉപദ്രവം അസഹനീയമായിരിക്കുന്നു. മഹാത്മാഗാന്ധി ഇതിനൊക്കെ ഇവരെ അനുവദിക്കുന്നു എന്നാണ് ഇവർ പറഞ്ഞുപരത്തുന്നതു്. മഹാത്മാഗാന്ധിയുടെയോ അല്ലെങ്കിൽ അദ്ദേഹത്തിന്റെ പുത്രൻ അബ്ദല്ലാഗാന്ധിയുടെയോ ബന്ധുക്കൾ ആരോ ഉണ്ടെന്നും ഇതിലേക്കു മഹാത്മാഗാന്ധിയുടെ അംഗീകരണവും അനുമതിയും അവർമുഖാന്തിരം വാങ്ങിക്കൊള്ളാമെന്നും പറഞ്ഞുകൊണ്ട് ഇവർ ഇങ്ങനെയുള്ള പ്രവൃത്തികൾ നടത്തുന്നു. ലോകൈകവന്ദ്യനായ മഹാത്മാഗാന്ധി ഇപ്രകാരമുള്ള അക്രമങ്ങളെ അനുകൂലിക്കുമെന്ന് ഒരു നിമിഷനേരംപോലും വിശ്വസിക്കാൻ നിവൃത്തിയില്ല. കഴിഞ്ഞദിവസം ഞാൻ പ്രസ്താവിച്ചതുപോലെ— ഏററവും പരമാൎത്ഥമായി പ്രസ്താവിച്ചതുപോലെ— ഇവരുടെ ഡ്രസ്സൊഴിച്ചു, തൊപ്പികഴിച്ച്, ഇൻഡ്യൻനാഷനൽ കാൺഗ്രസുമായി എന്തുബന്ധമാണിവർക്കുള്ളതു? ഇൻഡ്യൻ നാഷണൽ കാൺഗ്രസ്സിന് ഒരു ആദർശമുണ്ട്, ഒരു നിലയുണ്ട്, ഒരു തത്വമുണ്ട്, എന്നാൽ ഇവർക്കിതൊന്നുമില്ല.

സർ, മഹാരാജാവു തിരുമനസ്സിലെ ഗവണ്മെൻറിനെ അനാവശ്യമായും അക്രമമായും അധിക്ഷേപിക്കയും ദ്രോഹിക്കയും ചീത്തപറയുകയും ചെയ്യുന്നതു് ഇവരുടെ ഒരു പതിവായിത്തീർന്നിരിക്കുന്നു. മഹാരാജാവു തിരുമനസ്സിലെ ഗവണ്മെൻറിൽനിന്നും വെട്ടിച്ചിട്ടുള്ള പൊതു നിരത്തുകളിൽക്കൂടി ഗവണ്മെൻറിനെ അനാവശ്യമായും അക്രമമായും അലട്ടുകയും അപലപിക്കുകയും ചെയ്യുന്ന ഇവൎക്ക് യഥേഷ്ടം സഞ്ചരിക്കാമെന്നും

[Mr. Padiyara Joseph Kunju.]

ഇവരുടെ ആദർശങ്ങളോട് അനുഭാവമില്ലാത്ത ജനങ്ങൾക്കു ഇവരുടെ ഉപദ്രവംമൂലം പൊതുനിരത്തുകളിൽക്കൂടി സഞ്ചരിക്കുന്നതിന് നിവൃത്തിയില്ലെന്നുമുള്ള ഒരു ദുരവസ്ഥയാണ് ഇപ്പോൾ വന്നുചേൎന്നിരിക്കുന്നതു്. ഈ ഒരുകൂട്ടർ ചീത്തപറയുന്നതുപോരാഞ്ഞിട്ടോ എന്നു തോന്നുമാറ് സ്റ്റേറ്റ്കാൺഗ്രസിൻെറ സന്താനമായ യൂത്ത്ലീഗിൻെറ ക്ഷണമനുസരിച്ചു ഈയിടെ ഒരു മഹതി ബ്രിട്ടീഷ് ഇൻഡ്യയിൽനിന്നും ഇവിടെവന്ന് അപകീൎത്തികരങ്ങളായ ചില പ്രസ്താവനകളും ചില ആക്ഷേപങ്ങളും പുറപ്പെടുവിക്കുന്നതിനു തിരുവിതാംകൂർ ഗവൺമെൻറു അനുമതി നൽകിയതിൻെറ അൎത്ഥമാണ് എനിക്കു മനസ്സിലാകാത്തതു്. തിരുവിതാംകൂർ രാജ്യം വഴിയിൽ തൂക്കിയ ഒരു ചെണ്ടയാണോ എന്നാണ് ഞാൻ ചോദിക്കുന്നതു്. ആൎക്കും ഏതു ദേശക്കാൎക്കും ഇവിടെവന്ന് തോന്ന്യാസങ്ങളും ആഭാസത്തരങ്ങളും പറയാമെന്നാണോ ഇതിൻെറയൊക്കെ അൎത്ഥം. ഈ മഹിള പറഞ്ഞിട്ടുള്ള വാചകം ഇതാണു:—

> "The illusion of Ramraj in Mysore was shattered not by a Kamaladevi but by the hand which created the tragedy of Viduraswatham. But man when he is intoxicated with power rarely learns the wise lessons of history—autocracy is its own doom."

Mr. R. V. Thomas: May I know from which document the honourable member is reading?

President: What is it the honourable member is reading from?

Mr. Padiyara Joseph Kunju: Sir, a statement made by Kamala Devi.

Mr. Nedumangad R. Kesavan Nair: May I know whether he is placing it on the table?

President: Yes; I now remember it; it was in all the papers.

Mr. Padiyara Joseph Kunju:

> "The recent happenings in Travancore have raised the curtain on another Ramraj."

സർ, ഗവൺമെൻറിൻെറ നിരോധനാജ്ഞ ഉണ്ടായിരുന്നിട്ടും ഇവിടെ കയറിവന്നു പറയുന്നതു് ഇപ്രകാരമാണ്. തിരുവിതാംകൂർ മഹാരാജാവു തിരുമനസ്സിനെപ്പററിയും രാജസ്ഥാനത്തെപ്പററിയുമുള്ള ഒരു ആക്ഷേപമാണ്, പ്രത്യക്ഷമായിട്ടല്ലെങ്കിലും പരോക്ഷമായി ഇതിൽ കാണുന്നതു്. ഏതായാലും ഈ നാട്ടിൽ നിന്നും—രാജഭക്തരും ധീരന്മാരുമായ ധാരാളം ആളുകൾ നിവസിക്കുന്ന ഈ നാട്ടിൽ നിന്നും—ഈ മഹതി പെട്ടെന്ന് ഓടിക്കളയാഞ്ഞതു അവരുടെ ഭാഗ്യമാണെന്നു മാത്രമെ ഞാൻ പറയുന്നുള്ളു. (*Loud noise and laughter from the gallery.*)

President : Order, order: The House will be cleared if there are any demonstrations in the galleries.

Mr. Padiyara Joseph Kunju : സർ, അവരുടെ ആഗമനം മൂലം അല്ലെങ്കിൽ അവരുടെ പ്രസ്താവനമൂലം എന്തെല്ലാം ഫലങ്ങളാണ് ഇവിടെ ഉണ്ടായതെന്നു എന്റെ മാന്യസ്നേഹിതൻ മി: കോട്ടൂർകുഞ്ഞുകൃഷ്ണപിള്ള ഇവിടെ വിശദമായരീതിയിൽ പ്രതിപാദിച്ചുകഴിഞ്ഞു. ആ സംഭവങ്ങളെ ആവർത്തിച്ചു പ്രസ്താവിക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഈ കൂട്ടർ—ഈ സ്റ്റേററ്കാൺഗ്രസുകാർ—ഇവിടെ സിവിൽ ആജ്ഞാലംഘനം ഉണ്ടാകുമെന്നു ഭീഷണിപ്പെടുത്തുന്നു ഇവിടെ ഒരു ആഭ്യന്തര കലഹമുണ്ടാകുമെന്നു പറഞ്ഞു് ഗവൺമെൻറിനെ പോരിനു വിളിക്കുന്നു. അവരുടെ അഭിപ്രായങ്ങൾക്കു വിധേയരാകാത്തവരെ പൊതുനിരത്തുകളിൽ കൂടി സഞ്ചരിക്കുന്നതിനു് അനുവദിക്കുന്നില്ല. ഇത്രയുമൊക്കെയായിട്ടും തിരുവിതാംകൂർ ഗവൺമെൻറു് മൗനം ഭജിക്കുകയാണു് ചെയ്യുന്നതു്. ഇങ്ങനെ മൗനം അവലംബിച്ചിരുന്നാലുള്ള ഭവിഷ്യൽഫലമെന്തായിരിക്കുമെന്നു തിരുവിതാംകൂർ ഗവൺമെൻറു് ചിന്തിച്ചിട്ടുണ്ടോ എന്നു് ഞാൻ ഗവൺമെൻറിനോടു ചോദിച്ചുകൊള്ളുന്നു. തിരുവിതാംകൂർ സോവിയററു റഷ്യയായി രൂപാന്തരപ്പെടണമെന്നാണു് മിസ്സ് കമലാദേവി പറയുന്നതു്. ഇവിടെ "സ്ഥിതി സമത്വം" സംസ്ഥാപിക്കപ്പെടണമെന്നു് അവർ പറയുന്നു.

സർ, അവരുടെ മററൊരു പ്രസ്താവന ഇങ്ങനെയാണു്.

> "The active co-operation of a large number of Muslims and Christians and other minority communities is a great asset and speak volumes for the popularity of the political struggle."

അവർ ചെങ്കോട്ടയിൽനിന്നും രണ്ടോ മൂന്നോ മണിക്കൂർകൊണ്ടു് തിരുവനന്തപുരത്തു വരുന്നതിനിടക്കു് മുസ്ലീങ്ങളുടെയും കൃസ്ത്യാനികളുടെയും ഇടയിൽ ഒരു വലിയ ഭൂരിപക്ഷത്തിനു് സ്റ്റേററ്കാൺഗ്രസിനോടു് അനുഭാവമുണ്ടെന്നു് അവർ മനസ്സിലാക്കിക്കഴിഞ്ഞു. ഇതു മനസ്സിലാക്കിയതെങ്ങിനെയാണെന്നെനിക്കറിഞ്ഞുകൂടാ. മുസ്ലീങ്ങളിൽ രണ്ടോ മൂന്നോ പേരൊഴിച്ചു് മററാരും തന്നെ സ്റ്റേററ്കാൺഗ്രസിനോടു് അനുഭാവമുള്ളവരല്ല.

സർ, ഞാൻ കമലാദേവിയുടെ സ്റ്റേററുമെൻറിനെപ്പററിയുള്ള ഒരു വിമർശനമാണു് ചെയ്യുന്നതു. അതുപോലെ തന്നെ കൃസ്ത്യാനികളിൽ ഭൂരിപക്ഷത്തിനു് ഇവരോടനുഭാവമുണ്ടെന്നു് പറയുന്നതും വെറും വ്യാജം തന്നെയാണു്. ബഹുഭൂരിപക്ഷം കൃസ്ത്യാനികളും നിശ്ചയമായും സ്റ്റേററു് കാൺഗ്രസിനോടു അനുഭാവമില്ലാത്തവരാണെന്നു് എനിക്കു ധൈര്യമായി പറയുവാൻ കഴിയും.

Mr. R. V. Thomas: ഇതു് മെംബർ എങ്ങിനെ അറിഞ്ഞുഎന്നു് വ്യക്തമാക്കുമോ?

Mr. padiyara Joseph Kunju: ഞാനും ക്രിസ്ത്യാനിസമുദായത്തിൽപെട്ട ഒരുവനാണു്. അവരോടു് എനിക്കു് ബന്ധമുണ്ടു്, അവരുടെ കാര്യങ്ങളും എനിക്കറിയാം; അതുകൊണ്ടു് ഞാൻ പറഞ്ഞതാണു്. ക്രിസ്ത്യാനികളുടെ കൂട്ടത്തിൽ മേൽവിലാസമുള്ള ഒരുത്തൻപോലും ഈ സ്റ്റേറ്റു് കാൺഗ്രസിലില്ലെന്നു ഞാൻ സധൈര്യം പ്രസ്താവിച്ചുകൊള്ളുന്നു.

സർ, സ്റ്റേറ്റു് കാൺഗ്രസുകാരെ ഇങ്ങനെ അഴിച്ചുവിടുകയാണെങ്കിൽ അതിന്റെ ഭവിഷ്യൽഫലം എന്തായിരിക്കുമെന്നു ഞാൻ ഗവൺമെന്റിനോടു ചോദിച്ചുകൊള്ളുന്നു. അവർ ഇവിടെ പ്രവർത്തിച്ചിട്ടുള്ള ആഭാസത്തരങ്ങളെപ്പററി മി. കോട്ടൂർകുഞ്ഞുകൃഷ്ണപിള്ള പറഞ്ഞു കഴിഞ്ഞു. ഈ സംഗതിയിൽ ഗവൺമെന്റിന്റെ സത്വര ശ്രദ്ധപതിയണമെന്നു ഞാൻ ഗവൺമെന്റിനോടു അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

Mr. Kochikkal P. Balakrishnan Tampi: Well Sir, I am rising to oppose the resolution, I mean this motion, because it is worded in such a manner as to cause reflection upon the only political organisation in this State, namely, the State Congress.

Mr. Kottoor Kunjukrishna Pillai: Question.

Mr. Kochikkal P. Balakrishnan Tampi: I can understand the identity of thought of these two members who have spoken just now about this motion. It may be that these two great souls think alike! I am not surprised at the identity of the sentences in the speeches of these two honourable members. Sir, the whole trouble is due to the existence of people who are out to flatter the Government. The informers in every country have done far more mischief than the revolutionaries themselves. As far as the disturbances, which form the subject matter of this motion, are concerned any person who has respect for law and order will condemn them. But it is well known that while there is disturbance in law and order there is nothing done to prevent the mishappenings. I wonder why the wrong doers are not immediately found out and punished. (*Shame*). Sir, a charge is now made not against the miscreants but against a political institution, a great political body which is growing in strength minute by minute. My friend, with the obliging nature of a prosecuting inspector, has been repeating the names of the people who are not in the House It is unfair for the honourable members of this House to refer to people who are not in this House and to accuse them, especially when they have no opportunity to defend themselves. I don't defend them but only say that it is not befitting the

decorum and dignity of the House to mention names of people and accuse them. As far as the two people and their statement are concerned, I may say that one is an M. A. and the other a B. A. I can say that they are more respectable than Mr. Kottoor Kunjukrishna Pillai and Mr. Padiyara Joseph Kunju. There are no flankeys, there are no snobs among them. They are not cynics. They do not make themselves very cheap at Bhaktivilas......

President: Order, order: the Rules relating to the resolutions show that all defamatory statements and deprecatory references are to be avoided as far as possible. I know that in the heat of the moment honourable members may say these. But to suggest, as the honourable member has been suggesting, that there is some ulterior motive behind the actions of some people, is not worthy of this honourable House. I trust the honourable member will not continue in that strain.

Mr. Kochikkal P. Balakrishnan Tampi: Yes, I too think it is not right to attribute motives and I accept the correction.

After all, my friend Mr. Kottoor Kunjukrishna Pillai was not present on the occasion when the disturbances happened. I am told that the people who collected there behaved very peacefully and the trouble started only after 7·30 P. M. It was then that some hooligan boys went about causing disturbances. But then, why should we connect that with the arrival and activities of Kamala Devi and with the Youth League movement, or with the State Congress and raise a spectre to charge the State Congress with. It may be a rhetorical art, but it will not be acceptable to the members of this House or to the public or to gentlemen who move in polite circles. As a member of the State Congress, I take the fullest responsibility for every act done or every statement made by any office bearers of the State Congress; but to say that there was murder or arson is rather going too far. But all these are irrelevant remarks and my friends, abhorrence of the Gandhi cap, the red rag to his eyes, is very amusing. Sir, I cannot understand the statement that these disturbances are taking place because the State Congress is here making an agitation for responsible government. There is no point in exaggerating the mysteries of the State Congress. In spite of Mr. Kunjukrishna Pillai, or in spite of the Government's nominee Mr. Joseph Kunju, this movement will continue. It is gaining momentum by these theatrical attacks of the ostensible supporters of the Government.

Sir, he has thrown out a challenge to the State Congress regarding the question of disobeying law. The State Congress is

[Mr. Kochikal P. Balakrishnan Tampi.]

certainly thinking of breaking some of the laws which impose certain restrictions.

President: The honourable member need not raise that question.

Mr. Kochikkal P. Balakrishnan Tampi: No Sir, *he* has raised the question.

President: Honourable member need not refer to that as it is not in point in connection with this motion.

Mr. Kochikkal P. Balakrishnan Tampi: I am sorry, Sir. At any rate, it is only by making these charges upon the State Congress, that these honourable members can please the Government. If there is only some trouble in this State could these people make themselves very useful to the Government. Sir, in fact, some of the technical laws which impose restrictions upon civil liberty may be broken. Whatever may be said about the State Congress it cannot be said that it is showing cowardice. Some of the gratest people, some of the people who may be called the uncrowned Kings by the people of this city.........

President: Order, order. The honourable member wil realise that he is going very near sedition. In a monarchy, that expression is not proper, but if the honourable member requires a ruling I shall make one unless the honourable member is prepared to withdraw it.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, I was pointing out.........

President: Order, order. With in a monarchy the expression 'uncrowned king' may or may not be objectionable according to the manner in which it is used. To speak of the leader of a political party conducting political agitations as an uncrowned king and that in a country where there is a king crowned or entitled to wear a crown, is or may be sedition. If the honourable member wants a ruling I am prepared to give that the honourable member will withdraw.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, in the light of the explanation given by the President, I withdraw. Why Sir, why should I fight for a phrase I withdraw that expression. The fact is that a most respected leader of the people with unquestionable antecedents is leading the movement. I do not speak about the unworthy people whom my friend Joseph Kunju spoke...

President: Honourable member will realise that using the name of another member, who is equally a member of this House with the honourable member now in possession of the House, without the usual prefix of Mr. or honourable member, is rudeness, and is also defamatory.

Mr. Kochikkal P. Balakrishnan Tampi: I am very sorry, Sir; I never meant it.

Sir, this movement is led by some of the most raspected people of the country, who are not cowards at any rate. Perhaps Mr. Thanu Pillai is less respected than only Mr. A. Narayana Pillai. That is his position in the country.

President: Was any mention made about Mr. Thauu Pillai?

Mr. Kochikkal P. Balakrishnan Tami: Mention was made about the State Congress.

President: Oh! State Congress means Mr. Thanu Pillai: (*Laughter.*)

Mr. Kochikal P. Balakrishnan Tampi: I would say even that. Because, Sir, at any moment he may become the unquestioned dictator of the State Congress.

Sir, to cry them down as rowdies, as people who go about pretending to be saints but really inciting people to violence, is not fair. Sir, there is nothing which the State Congress does behind the curtain. All the cards are on the table. The State Congress is out to agitate for the establishment of responsible government. It is out to point out the vagaries or corruption, if any, in the present Government.

President: Honourable member must withdraw that expression 'corruption in the present Government' and apologise for using that expression.

Mr. Kochikal P. Balakrishnan Tampi: I do withdraw Sir; I do apologise. (*Laughter.*)

President: Honourable member will apologise in a serious manner.

Mr. Kochikal P. Balakrishnan Tampi: I do seriously apologise, Sir; I never knew the Chair and the Dewan are one.

President: Honourable member will apologise for that because the Chair and the Dewan *are* one.

Mr. Kochikal P. Balakrishnan Tampi: I do apologise, Sir.

Sir, I would again repeat that there is no good in creating a situation out of nothing and in rousing the Government to fury. Any way, Sir, I can assure the House that if the State Congress wants to disobey the law it may not be due to the incitement by such doubtful supporters of Government, like Kottur Kunjukrishna Pillai.

President: Again, honourable member will observe decorum while using the name of another honourable member, he need not be insulted.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, I never meant any insult.

President: Ordinary decorum of debate requires that one honourable member should not insult another honourable member.

Mr. Kochikal P. Balakrishnan Tampi: I do not want to insult my friend; if there was any insult so apparent it was because my memory failed me.

President: Oh! I quite realise that whenever that name comes up honourable member's memory fails him. (*Laughter.*)

Mr. Kochikkal P. Balakrishnan Tampi: Sir, I want to make it perfectly clear that there is absolutely no political connection between the State Congress and the Youth League. Whatever might be the activities of the Youth League, they are not activities approved of or inspired by any responsible member of the State Congress. And, Sir, while in so washing my hands off the Youth League which I am bound to do as a member of the State Congress—it is not a case of merely washing my hands off as was done by Pontius Pilate. I go to the extent of saying that even the Youth League, so far as reports go, does not seem to be such a revolutionary body as has been depicted by my friend here today. Sir, I think far greater harm is done to the State by the imaginary picture drawn up by Mr. Kottur Kunjukrishna Pillai than by the repetition of certain international slogans which have crossed the frontier. Sir, by themselves, those slogans are not capable of any harm whatsoever unless some people take them up like the Persian or Arabic word 'Zindabad'.

President: Honourable member will realise the full implications of the slogans about '*Viplavam*'.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, those are slogans repeated by a coterie of school boys at the close of almost every public meeting in British India, so that there is no real justification for my friend Mr. Kottur Kunjukrishna Pillai in going into the dictionary meaning of words like *Viplavam*, raking up their etimology, and exaggerating matters, saying that these people are revolutionaries and that the days are like those of King Charles I. Sir, most of the words of the English Language are liable to be interpreted and exaggerated in that manner.

All that I mean to say, Sir, is this. To create an agitation is no offence. To create disaffection against Government is almost the duty of every political organisation. After all, Sir, that was what, in substance, they have stated in the Montague-Chelmsford Report; "to shake the placid contentment......

President: "To disturb the contentment of the masses".

Mr. Kochikal P. Balakrishnan Tampi: Yes, Sir. Therefore Sir, if my friend Mr. Kottur Kunjukrishna Pillai would suggest that the people who use these slogans are revolutionaries because they use such slogans I would only submit that it is an eminent English Jew and other distinguished Englishmen that have created the trouble.

Sir, every thing depends on the way things are looked at. I would again repeat that it is such exaggeration by my friend Mr. Kunjukrishna Pillai and others that does more harm than the slogans themselves or the people who partake in these movements.

Sir, I oppose this resolution because of the insinuations it contains against the most respected political organisation in the State, the leaders of which organisation are gaining the respect of every section of the people except half a dozen disgruntled people. I am in full sympathy with the mover if his only object is to have the conduct of the guilty and lawless enquired into. But unfortunately the resolution is so cleverly worded that if I support the resolution as it is I would also be accepting the insinuations against the State Congress. For that reason I oppose the resolution.

Mr. N. V. Chacko: Sir, I also oppose the resolution for the wording of it. It says "prompted and supported by the Travancore State Congress". Is anybody entitled to say that whatever has taken place has been 'prompted and supported' by the State Congress; except by making merely baseless assertions. If anybody can assert so it can be denied by equally strong asseverations. There is no reason or justification for this sort of assertion except the hatred cherished by some of my honourable friends for the State Congress.

The motion further refers to 'parading the public streets, assaulting the policemen ... ...' Is it possible that it was the members of the Youth League that did all these, or anybody else? It has been admitted that there was a large crowd of about 25,000. Certainly, there are not 25,000 students in Trivandrum, so that the crowd must have included a large number of those who are not students.

Mr. Kottur Kunjukrishna Pillai: I never said anything about students, Sir.

Mr. N. V. Chacko: Sir, nobody has said that he saw any student doing any particular mischief.

President: Does the Youth League consist of students alone or of others also?

Mr. N. V. Chacko: I do not know, Sir; it may in fact consist of young men as well as old. All that the motion says is under the name of the 'Travancore Youth League'; it is not stated

[Mr. N. V. Chacko.]

that the members of the Youth League did all the mischief. After all, Sir, much of the resolution is the result of panic and scare is being created among the people. My view is that even a pin should not be destroyed nor even the peace of a fly disturbed. But it is certainly not right to exaggerate things. We are all human beings. When we sit together and talk, some times we laugh too aloud. Certainly it cannot be said that it was with a view to disturb the gathering that we laugh like that. I have heard of persons taking part in certain parties some times tearing away their dresses in fun. In a big crowd it is quite possible that some little urchins enjoy small jokes by throwings stones or tearing placards. That does not deserve to be characterised as lawlessness or violence. Every child likes its toy or loves doll as much as its own life ; but ultimately what does it do? It breaks it into pieces. That is common psychology. It should not be argued that it wanted to destroy its father's property. Even for learning its structure, it may destroy the toy. From the mere love of a bull one may be tempted to destroy it. "Every man kills the thing he loves."

The motion further speaks of restoring tranquillity. After all, Sir, some mischief makers did some thing, and without anybody's interference the matter ended of itself and tranquillity was restored automatically. It was like a passing breeze. There was no real disburbance of tranquillity, nor any indication that any mischief would be repeated. There is already tranquillity and nothing is to be done to restore it. There is no reason why such things should be exaggerated. Certainly, it cannot be called a revolution, or even a riot.

In this connection, it is well that the Government knows something about the present position of the State Congress in the country. Whatever may be the reason for it, the State Congress is fast gaining ground every day, even in the rural parts. One has really to wonder how quickly the people in the villages, most of whom do not even know how to read, are taking to the State Congress. Nobody has gone and told them a word about the State Congress. It is like infection spreading fast through the air. (*laughter.*) Sir, when some honourable members here say that there are only half-a-dozen members or so constituting the State Congress, I must warn the Government that they may not be deceived by believing such statements. They are deliberately misleading the Government, and very soon a time may come when the Government will have to pray 'Save us from our friends'. The Government should try to profit by the lesson of "Lear" and his daughters. Sir, so far as the C. I. D. reports are concerned, if they report to the Government that everything is all right in the country and that the people are all loyal and law abiding, the Government would immediately be tempted to decide that there was no need to

continue the C. I. D. establishment. Therefore, it is the instinct of self-preservation that makes the C. I. D. people submit false and misleading reports to the Government. Similarly, there are a few other individuals also who seek to mislead the Government so that they may gain their own ends.

Sir, there is no use of denouncing the State Congress so violently. After all, the members of that body are also human beings. They too have been born and brought up in this country. It is not wise or proper for others to vilify them. People living in glass houses should not throw stones at others.

Mr. Kottur Kunjukrishna Pillai: May I ask whether all the stones in the country have been gathered by the State Congress?

Mr. N. V. Chacko: I do not understand the question.

I know that the honourable member himself was, till recently, a violent agitator. He was a fire-brand. I do not know whether it is because of his growing age that he has ceased to be such now. Any how, he is setting me a bad example at present.

Some might assert that they love the Government, that they are all loyal and law abiding and that all others are bad and disloyal. Sir, we of the State Congress Party, are not making a trade of our loyalty. The most important thing for the Government to do is to see where the disease is and to apply the proper remedy taking care that the remedy itself is not worse than the disease. Sometimes it may be that the patient is so diseased that he himself does not know of his disease. Take for instance, the case of the lunatic. He does not know that he is a lunatic. The wisest policy for the Government would be to know where disease is and to apply the proper remedy instead of scandalising the people. The honourable member Mr. Padiyara Joseph Kunju has been scandalising the members of the State Congress Party and indulging in all sorts of philippics, tirades and jermiads against us. There is no use of that. The members of the State Congress may have their own faults, because they are human beings. But it should be remembered that others too have got their histories which are well-known and are much worse than those of the members of the State Congress. That is why I said that people who live in glass houses should not throw stones at others.

There is another thing to which I should make reference. If anything is said about the police or Government wrongful act is attributed to them, people have come to believe that. Matters have now reached such a stage. There has been an attack on

[Mr. N. V. Chacko.]
Mr. Madhava Varrier. Who committed the attack? There has been an attack on Mr. Mathew Muthalali. Who committed it? Then there has been a burglary into the house of Miss Mascreane and there has been another into Mr. Gangadhara Menon's house.

President: Order, order. Matters which have already been the subject of discussion in the House cannot be re-opened.

Mr. N. V. Chacko: I am only quoting examples. Who committed those attacks and burglaries? Were they people belonging to or sympathiasing with the State Congress or were they people who were set on by the State Congress? When such rowdies or raskhasas were active against the State Congress proper action should have been taken then. Since they were not checked, I was wondering whether those rowdies would not be attacking the Government officers also in course of time. If Miss Mascreane's house was not safe from burglary, could the residence of any other lady in Travancore be considered to be safe? I have been thinking of all these things. We had also attacks at Chengannur and other places when meetings were conducted under the auspices of the State Congress. Who were responsible for these? Certainly not the State Congress people. The acts of mischief under consideration may have been committed by those who attacked the State Congress people and committed the burglaries to which I referred or their successors or friends or those who caught the infection from those rowdies. It is very unfortunate that people really believe it when somebody tells them that the present disturbances may have been got up by the Government themselves. Sir, things have gone so far that any rumours against the Government are being believed. So, the Government should find out the real disease and apply the proper remedy instead of merely doing things which will only make matters worse.

Mr. James Fletcher: Sir, I rise to support the motion. That on the night at about 8 o' clock on the 4th Chingom 1114 there were acts of violence and that there were overturning and damaging of trafic posts and signals and that there were destruction of street lights connot be denied. They are facts. On that evening, while I was returning from the Public Library, just before 8 p. m. I saw a crowd of young men running along the road, doing these mischiefs. I immediately enquired who those young men were and where they came from. They were coming from a meeting convened by a body called the Travancore Youth League and held somewhere near the Railway Station. I was also told that there were certain speakers who spoke at this meeting and these young men after hearing those inflamatory speeches at the meeting were returning from the meeting and on their way were doing these mischiefs.

Now, it cannot be denied that there is a clear connection between the speeches that were made at the particular place and the acts that immediately followed the speeches and these young men who committed those acts. That these young men, members of the Youth League and others, who went to the meeting have committed all these mischiefs and other acts of voilence is clear.

Then, Sir, I may submit another important matter that came to my mind on that day. It became dangerous for people to go along the public road at that time. Those young men were pelting stones at anybody and everybody and there were many passers-by. The traffic constables who were standing at their post of duty had to leave their places. Their posts were dragged away and broken and something serious would have been done to the poor constables also if they had not remained quiet. And I was thinking that it was high time that something must be done to restore law and order. Personally, I was feeling that this sort of latitude cannot be given to any particular set of people whoever they be. The next day also, that is on the 5th I feared the same thing to recur. Fortunately, the Commissioner of Police was prompt enough to take necessary action and things did not take any such serious turn as on the 4th.

Now, Sir, I may refer to the persons who spoke at the public meeting. Are those persons not known to us? To which party do they belong? Do they belong to the State Congress Party or do they belong to any other party? If those speakers, if those who made incendiary speeches belong to the State Congress, I am sure, the State Congress will have to take the responsibility, because it is their own men who go and address, young people who are easily incited. If these leaders do not take care to speak in proper style but speak all sorts of things which will incite young people, surely action must be taken against the leaders and my respectful submission is that, in order that there might be no recurrence of such acts of violence and such injuries to property and probably to life, the Government should take necessary steps and adequate measures to restore peace and tranquillity.

Mr. R. V. Thomas: Sir, I oppose the motion. While I deeply deplore the acts of violence committed on the evening of the arrest of Srimathi Kamaladevi, I strongly protest against the manner in which the mover has sought to move his motion before the House. The motion may be characterised as a mixture of insinuation and falsehood against......

President: Order, order. "Insinuation" is parliamentary but "falsehood" is not and the honourable member will withdraw that word.

Mr. R. V. Thomas: I withdraw. Sir, the State Congress is one of the most important and raally organised political party in the State. I have no objection to any of the honourable members moving any motion to discuss matters of violence committed in the streets of Trivandrum or in the suburbs. But I would request and would even expect honourable members of this House to be at least polite in attributing motives to a particular party, in saying that a particular party which is respectable and which is considered to be respectable by a vast majority of the people of the land is acting violently or is prompting others to acts of violence from behind the screen. I would tell you, Sir, that the State Congress is not a political organisation which would go behind the ordinary canons of morality. It has very open, wise and honest missions. I would tell you, Sir, that if I were in the least suspicious of the honest feelings of my colleagues, I would be the first man to come forward to tender my resignation. Sir, I took the decision to be a member of this party after deliberation and after having watched the work of this organisation. I tell you, Sir, that we, the members of the State Congress, cannot take such things lying down. I am surprised that one of the front rank leaders of the National Congress like Mr. Kottoor Kunjukrishna Pillai has come forward to cast this slur on the activities of a political party which is held in very high esteem by a vast majority of the people of the land. You may hide facts. But there is no use hiding them. You must face them. There is no use in hurling thunderbolts at a rival party. You must substantiate them and strengthen them by facts and figures. I have heard and I have been hearing throughout this session that some of the members of this House have been very studious in indulging in very violent language against the State Congress. Sir, there is a limit to all these things. They may be doing all these unwanted acts in the fond hope that those acts will be appreciated by Government. There is no use of recriminations between them and the State Congress. During the last budget session, there were communal bickerings and from the floor of this House there were flung arrows at communal sections from one side of the House to another. But this time at least, I am relieved to find that the differences are not communal but are only political. I think that the communal bitterness that has been in the country during last year, has now disappeared and that it has taken a political form. That, I am quite sure, will show that the political education in this country has gone up to a great extent.

Sir, the mover of the motion, has by his motion in a very clever way tried to create an impression that the State Congress is a political party that is doing mischief in the land, that it is directing all the mischief that is being committed, all the vandalism that is

being committed in the land by irresponsible men. From all that has transpired on the floor of this House during the Budget Session and also in another place we can very well conclude that there is real political agitation in the land and we the State Congress people do not deny it.

We are out for agitation and agitation for political rights is a very wholesome thing. We would assure you that in the methods to achieve our aims, namely, responsible Government under the aegis of His Highness the Maharaja we will wholly resort to honest and straight forward methods. I challenge any member on this side of the House, or even any member of the Government Treasury Bench to point out one instance of hooliganism or cowardice committed by any member of the State Congress Party. It is very easy to make silly remarks that the State Congress is a disloyal body and a subversive organisation. Unless that is strengthened by facts, there is no use characterising like that. Without such facts, all these allegations deserve to be ignored.

Mr. Joseph Kunju stated that only a very small section of the Christian population is behind this political organisation. I challenge him to prove that.

I may tell you, Sir, that a great majority of the elected representatives and accredited leaders are on the side of the State Congress. I challenge the honourable member to show me whether there are more antagonists to the State Congress or well-wishers to the State Congress among the elected representatives of the Legislature. It is possible to make sweeping remarks glibly. But we must face the real facts. There is a great political interest in the country. The Government must realise that there is implanted in the hearts of the people an irrevocable decision to achive—responsible Government under the aegis of His Highness the Maharaja. Any amount of repression or thunderbolt by Government cannot deter us from pursuing that ideal.

President: The honourable member must understand that the issue is about the incidents on a particular day and not the general question of responsible Government.

Mr. R. V. Thomas: Yes, Sir. The mover of the resolution seeks to discredit the State Congress organisation of which he is a powerful rival and antagonist. He wants to push down the State Congress from the estimation of the public. The mover has sought to include in the motion that all the hooliganism are the causes of the assemblage of persons belonging to the Youth League organisation who are supported by the State Congress party. No right-minded man will be able to oppose the motion wholesale when we realise the fact that hooliganism and rowdyisom were committed in Trivandrum

[Mr. R. V. Thomas.]

the other day on the eve of the arrest of Miss Kamaladevi Chattopadhyaya and even on previous days here as well as in mofussil places some months back. It seems to me, that it has become the order of the day in Travancore that hooliganism and rowdyism are prepetrated in public meetings. No right-minded man can oppose the motion which seeks in effect to suppress all lawlessness. I would have endorsed every idea stated here if the object of the motion was to suppress lawlessness and rowdyism. But to say that the State Congress party was responsible for the mischief created is certainly unwarranted. To accuse the State Congress unnecessarily is one which I cannot understand. It is there I want to enter a strong protest.

In this connexion, I would like to say what all kinds of hooliganism have taken place before. There was a wanton attack on Mr. Madhava Warrier, a prominent citizen of the place. Then Mr. K. P. Nilacanta Pillai, ex-member of this Legislature was brutally assaulted. He was a loyal subject and devoted worker. Then there was a burglary in Miss Anne Mascrene's house. Can all these lawlessness and hooliganism be attributed to the existence of the State Congress party? Can it ever be said that the State Congress party was behind these scenes? When such a deliberate statement is made, it is there, we enter our strong protest. I think this motion is a propaganda very systematically carried on by a rival political party, I mean, the National Congress. I would request you, Sir, to restore political tranquillity in the land by facing the real facts. I would earnestly request you, Sir, to come to a certain understanding between the different political parties and chalk out a new scheme to end all these unwanted and unwholesome acts of hooliganism and lawlessness. I have to tell you, Sir, that we view with grave concern all the hooliganism and rowdyism that were committed. Equally, we view with grave concern the systematic propaganda organised against a very respectable and the only organised political party, namely the State Congress Party, in the State.

Mr. P. I. Simon (*Municipalities*) : Sir, I rise to support the motion. The material portion of the motion is not objected to by those who oppose it. In other words, the portion relating to the form of the resolution which deals with all the acts perpetrated by the Youth League, which is closely affiliated to the State Congress party. It is not denied that the All-Travancore Youth League had nothing to do with the acts of rowdyism and hooliganism committed on the night of Saturday last. It is not denied that there was a meeting till about 7-30 P. M. in front of the Central Railway Station. Those who opposed the motion did not deny the fact that there were fiery speeches by a few young men calling themselves the leaders of the Youth League at Saturday's evening

meeting. Such meetings were going on for a number of days and it was only natural that in consequence, excitement was created by the leaders to indulge in vilification of Government by a series of scandalous seditious criticisms. This would show that a lot of people were aroused to action. They marched from the Central Railway Station and on coming to the junction of the overbridge, molested the constable there. Sir, the connection can easily be established. That the All-Travancore Youth League with their philosophy of revolution committed all the atrocities I am not able to say. But, I would say that it was the necessary consequence of all the rubbish that was spoken at the meeting of the Youth League in front of the Central Railway Station. Then Sir, about the State Congress activities and their connection with the All-Travancore Youth League, I would ask the members of the State Congress who are here whether Miss Kamaladevi Chattopadhyaya was not visited by the President of State Congress party on Friday night at the retiring room of the Central Station. Did not the General Secretary meet her there and talk to her on the applicability of Section 127 and allied questions. I should think, Sir, that nothing more is needed to establish connection between the State Congress and the All-Travancore Youth League. It is no use saying that the State Congress is not responsible for the hooliganism. It cannot be denied that, if the State Congress is prohibited from holding meetings, they try to find other ways of spreading scandals about Government. I therefore draw the attention of the House to the circumstances that happened on last Saturday night on account of the Youth League meetings. In view of the policy pursued by the State Congress party it will be apparent that they were behind the scenes. I therefore support the motion.

M. K. K. Kuruvilla : Sir, I am sorry, at the close of this session, we have to discuss this subject. I want to say at the outset that responsible government does not mean anarchy. I entirely agree with my honourable friend Mr. Kottur, when he said that responsible government does not mean anarchy. We want discipline and it is accepted that we pursue that ideal. There has been no denial that acts of rowdyism were perpetrated the other day. It needs no description. The members have been indulging in a description that all kinds of havoc were done. We have not questioned that fact. Mr. Fletcher said that he was able to discover a group of people whom he saw committing acts of violence, but I for one, cannot say definitely whether he identified those people. I was told by some friends that that group of young people was from among the members of the Youth League. I was told by others that that group was represented by young people from the sea-coast. That it is a set of irresponsible youngsters who threw stones cannot be denied.

Mr. Kochikal P. Balakrishnan Tampi : May I ask the member whether that group of people who threw stones was not the one set up for greeting Mr. Nariman with black flags when he was here?

Mr. K. K. Kuruvilla : I have no idea of that. Whatever that be, my point is about the wonderful way in which Mr. Simon has connected the Youth League movement with those atrocities. He has stated that Mr. Pattom Thanu Pillai saw the President of the Youth League. He has also stated that a few others saw the President of the Youth League. In the course of my stay here I may have seen Mr. Simon, Mr. Govinda Pillai, the Secretary and I may have seen the Chief Secretary and Mr. Kottoor Kunjukrishna Pillai. Does it mean that I am a member of the Independent Party, or a member of the Progressive Party? I do not know how Mr. Simon can say that because Mr. Pattom Thanu Pillai has visited so and so or because he has seen the President of the Youth League, a close relationship is established between the State Congress and the Youth League.

Mr. N. V. Chacko : Does the member know that State Congress members have visited Rajakumari Amirtha Kaor?

Mr. K. K. Kuruvilla : I never enquired who visits whom. It is not within my sphere. My friend Mr. Kunjukrishna Pillai said that because some people threw stones at the transport buses there must be some connection between the State Congress and the Youth League. I cannot understand it. There are several members of the State Congress Party who support the Transport Scheme. There are several members who appreciate the work of nationalisation of transport in this country.

Mr. Kottoor Kunjukrishna Pillai : May I know whether the President and other members of the Youth League are members of the State Congress?

Mr. K. K. Kuruvilla ; I submit that I draw my conclusions from all the things that I see and read. I have never enquired who has seen, who has gone into the room of another and discussed matters with him.

President : The question is whether the President and other members of the Youth League are not members of the State Congress.

Mr. Kottoor Kunjukrishna Pillai : Can he deny that?

Mr. K. K. Kuruvilla : I do not deny either.

Mr. N. V. Chacko : May I know whether they are all members of the human family?

Mr. K. K. Kuruvilla: I may say that in a statement that has been handed over to me by Mr. Thanu Pillai it is stated that every effort should be made to the adherence of the creed of non-violence.

Mr. Kottoor Kunjukrishna Pillai: I rise to a point of order. That document is not placed on the table.

Mr. K. K. Kuruvilla: I am prepared to do that. I think many people in this House know Mr. Pattom Thanu Pillai much more than I. If he has made a statement like this, how can an honest man make a statement like this that the State Congress is inciting people to actions of violence. I do not know how can a man of Mr. Thanu Pillai's standing make a statement like this and act contrary to it. That statement comes to the public from an honest man. I cannot understand how a man can command the respect of a good number of people if he advised young people for doing things contrary to the statement. I think non-violence and honesty are the creed of the State Congress. I do not go behind it. I do not study the characters of certain men. I have no time for that. I take the man at his word. Here is an organisation which says that non-violence and honesty are its creed and I accept it. If I am a member of the State Congress in this Council it is because I believe in non-violence and because I adhere to that principle. I cannot understand how we can say that the State Congress which in all its public activities has accepted the principle of non-violence and which stands for right and righteousness can be charged with this offence. I fail to understand how a charge can be brought against them that they have incited the people to do acts of violence. I therefore deny that charge. I very strongly oppose the adjournment motion brought forward by Mr. Kunjukrishna Pillai. At the same time I do say that I will support any movement to stop rowdyism in this country. If I am permitted, I want to say two things. I belong to a Christian community and as an honest man I would say that there has been created among the people in this country a political interest which is unparallel in the history of this land. This political interest, for all purposes, should be so developed and managed, that it may contribute to the good of the country. So far as I know, there is no violence in the heart of the people who are politically interested. If some members of the Treasury Bench would accompany me to the interior parts without any police aid, I feel sure I shall be able to convince them of the interest people are showing in political matters. I feel I can undertake the safety of the person and property of the individuals that accompany me.

Mr. C. N Thuppan Nambooripad: സർ, ഈ അടിയന്തിര പ്രമേയത്തെ ഞാനും അനുകൂലിക്കുന്നു. എന്റെ സ്നേഹിതന്മാർ മെസേഴ്സ് കോരാ, താമസ്, ചാക്കോ ഇവർ അഭിപ്രായപ്പെട്ടിട്ടുള്ളതിൽ നിന്നും ഈ നാട്ടുകാർ മുഴുവനും സ്റേററുകാൺഗ്രസിൽ ചെട്ടിട്ടുള്ളവരാണെന്നാണു ഞാൻ മനസ്സിലാക്കുന്നതു.

Mr. R. V. Thomas: അങ്ങിനെ പറഞ്ഞിട്ടില്ല.

Mr. C. N. Thuppan Numbooripad: ഞാൻ മനസ്സിലാക്കിയിടത്തോളം അങ്ങനെ പറഞ്ഞു എന്നാണ്.

എനിക്കിതിനെപ്പററി പറയുവാനുള്ളതു ഒരു മഞ്ഞപ്പിത്തക്കാരന്റെ ദൃഷ്ടിയിൽ കാണുന്നതൊക്കെ മഞ്ഞനിറമായിരിക്കുമെന്നാണ്.

Mr. N. V. Chacko: ആ സുഖക്കേട് മെമ്പർക്കും വരാവുന്നതല്ലേ?

Mr. C. N. Thuppan Nambooripad: വരാവുന്നതാണ്, പക്ഷെ ഇതുവരെ വന്നില്ല.

President. The honourable member has not yielded his place. The honourable member, if he want to answer the question must resume his seat. If he is not inclined to answer he must not speak in reply to the honourable member who has interrupted him.

Mr. C. N. Thuppan Nambooripad : ഞാൻ ഒരാളിനെ കുറിച്ചല്ല പറഞ്ഞതു്. ഇതൊരു സുഖക്കേടാണു, ഈ നാട്ടിലുള്ളവരെല്ലാം സ്റേററ കാൺഗ്രസിനെ അനുകൂലിക്കുന്നവരാണെന്നു പറഞ്ഞു കേൾക്കുമ്പോൾ എനിക്കു മറെറാരു സംഗതിയാണു ഓർമ്മയിൽ വരുന്നതു്. ഇവിടെ പുകയിലകൃഷി നിരോധിച്ചിട്ടുണ്ടു. ഒരാൾ പുകയില കൃഷിതുടങ്ങി. അതിനെ സംബന്ധിച്ചു പരാതിഹർജി ഉണ്ടായി. അധികാരമുള്ള ഉദ്യോഗസ്ഥൻ അന്വേഷണത്തിനു പുറപ്പെട്ടു. അയാളെ കണ്ടു നിങ്ങൾ പുകയില കൃഷി നടത്തുന്നതായി പരാതി കിട്ടിയിരിക്കുന്നല്ലോ എന്നു പറഞ്ഞു. ഞാൻ കൃഷി ചെയ്യുന്നുണ്ട്, പക്ഷെ അതു പുകയിലയല്ല, ഒരുതരം ശീമച്ചെടിയാണു എന്ന് കൃഷിക്കാരൻ സമാധാനവും പറഞ്ഞു. ഒടുവിൽ അധികാരി ചെടിനോക്കി, അതു പുകയിലപോലെയിരിക്കുന്നതുകൊണ്ടു പുകയിലതന്നെയാണെന്നു തീർച്ചപ്പെടുത്തി. ഉടനെ ആ കൃഷിക്കാരൻ സാധാരണ മരണം അടുത്തിരിക്കുന്നവരുടെ ദൃഷ്ടിക്കുമാത്രമേ അതു പുകയിലയാണെന്നു തോന്നുകയുള്ളു, ഇതു ഈ ചെടിയുടെ ഒരു വിശേഷമാണു, എന്നു ആ അധികാരിയെ അറി

യിച്ചു. ഇതു കേട്ടപ്പോൾ ആ അധികാരി എസ്, എസ്, ഇതു പുകയില അല്ല, ശീമ[illegible]തന്നെ എന്നു് പറഞ്ഞിട്ടുപോയി എന്നൊരു കഥ കേട്ടിട്ടുണ്ടു. ആ ണക്കിനു ഈ നാട്ടുമുഴുവൻ സ്റ്റേറ്റുകാൺഗ്രസിനോടു് അനുകൂലിക്കുന്നു എന്നു പറഞ്ഞാൽ ഞാൻ തീർച്ചയായും അനുകൂലിച്ചിട്ടില്ല എന്നു എനിക്കറിയാം. ഞാൻ പുകയിലകൃഷിയുടെ കാര്യം പറഞ്ഞതുപോലെ വല്ല ഭയത്തിനും എനിക്കവകാശമുണ്ടെന്നുവന്നെങ്കിൽ ഞാനുംകൂടി ഇതിൽ ചേർന്നിരിക്കയാണെന്നു ഒരുപക്ഷെ പറയേണ്ടിവന്നേക്കാം.

കുറച്ചുദിവസങ്ങളായി ഈ രാജ്യത്തു വിശേഷിച്ചു ടൗണിൽ വലിയ ബഹളങ്ങളും അക്രമങ്ങളും നടക്കുന്നുണ്ടു്. ഇതിന്റെ ഒക്കെ അടിസ്ഥാനം ഉത്തരവാദിത്വഭരണസ്ഥാപനമാണെന്നാണു കേൾക്കുന്നതു്. വാസ്തവത്തിൽ കാൺഗ്രസ്സ് എന്നും ഉത്തരവാദിത്വഭരണം എന്നും ഉള്ളതു് മാഹാത്മ്യം ഉള്ള പദങ്ങൾ തന്നെയാണു. എന്നാൽ ഉത്തരവാദിത്വഭരണത്തെ സംബന്ധിച്ചു് നാട്ടിലുള്ള ജനങ്ങൾ മുഴുവനും ഒരേ അഭിപ്രായത്തിൽ എത്തിക്കഴിഞ്ഞിട്ടുണ്ടോ എന്നുള്ള സംഗതി വളരെ ആലോചിക്കേണ്ടതാണ്. മഹാരാജാവു തിരുമനസ്സുകൊണ്ടും അവിടത്തെ ഗവണ്മെൻറും നാട്ടിലുള്ള ജനങ്ങളുടെ ഹിതമനുസരിച്ചു പ്രവർത്തിക്കാനൊരുങ്ങിത്തന്നെയാണിരിക്കുന്നതെന്നുള്ളതു് അനേകം സംഗതികൾകൊണ്ടു നമുക്കു ഇപ്പോൾ ബോധ്യമായിട്ടുണ്ടു. ജനഹിതം ഇന്നത്തെ ഈ ബഹളത്തിനു അനുകൂലമാണോ എന്നാണു നോക്കേണ്ടതു്. ഈ ബഹളം മുഴുവനും നാട്ടിലുള്ള ജനങ്ങളുടെ അഭിപ്രായംകൊണ്ടുണ്ടായതാണെന്നു പറയുവാൻ നിവൃത്തിയില്ല. ചില വ്യക്തികൾക്കു പറ്റിയിട്ടുള്ള നിരാശനിമിത്തം ഏതെങ്കിലും പ്രക്ഷോഭണം തുടങ്ങുക എന്നേയുള്ളൂ, പത്രങ്ങളിൽ എഴുതിക്കാണുമ്പോൾ ജനങ്ങൾ ഇളകും, അല്ലാതെ ജനങ്ങൾക്കു യാതൊരു മനഃപൂർവ്വവുമില്ല. ഈ ബഹളങ്ങൾക്കൊക്കെ ശമനംവരുത്തേണ്ടതാവശ്യമാകുന്നു. അല്ലെങ്കിൽ നാട്ടിൽ സ്വൈരമായി സഞ്ചരിക്കുന്നതിനു നിർവ്വാഹമില്ലാതെവരും. ഇവിടെ നടന്ന ചില മീറ്റിംഗുകളിൽ സഭ്യമല്ലാത്ത അനേകം പ്രസംഗങ്ങൾ നടക്കുകയുണ്ടായി. ഏതായാലും നാട്ടിൽ ബഹളവും ക്ഷോഭവും ഉണ്ടാക്കുന്ന ഒരു പ്രസ്ഥാനത്തെ വച്ചുവളർത്താൻ പാടില്ല എന്നുള്ള അഭിപ്രായത്തെ ഈ സഭമുൻപാകെ അറിയിച്ചുകൊള്ളുന്നു.

Mr. Abdul Tayeb Sheikh Kader Bhoy (*Commerce nd Industry, South*): Sir, I rise to support this motion and in doing so I wish to speak a few words on the matter. I strongly condemn the acts of goondaisom and unlawful acts committed by those persons who assembled on the 4th Chingom 1114, under the name of the All-Travancore Youth League. Sir, the trouble created was very serious and unless some measures are taken to stop such goondaisom taking places again it will be very unsafe for respectable and law-abiding citizens to live and move about freely. Sir, much has been said on the subject and I do not want to make any long statement. Before I take my seat I request the members of Youth League not to adopt such unlawful measures to demand responsible government under the aegis of His Highness the Maharaja and create a bad impression about our State outside.

Lastly I appeal to Government to see that some measures are taken to see that such acts are not repeated in future.

Mr. K. M. Korah: When the adjournment motion was read out to us this morning and when we knew from it that all the violent attacks mentioned there were prompted and supported by the Travancore State Congress, I really expected that my friend Mr. Kottoor Kunjukrishna Pillai will come forward with some definite and clear grounds on which this assumption rests.

I was closly listening to him and the only sentence which I could hear from him in support of his statement was that the State Congress is managing the Youth League and that some of the members of the State Congress happened to speak on several occasions in the meetings convened by the Youth League. That fact does not warrant the statement that the State Congress prompted the members of the Youth League to do these acts of violence on the face of it. This charge levelled at the State Congress does not require any answer. And I think this is another device to make an impression that the State Congress is violent and I am not at all surprised to see that this device is machinated by Mr. Kottur who is a prominent member of the rival organisation, the National Congress, which is determined to crush the State Congress and I know fully well that the public would give only the worth that is due to such imputations to the State Congress. I do not think that anybody would deny the fact that adequate measures should be taken to safeguard the life and property of the citizens of the State. Assaulting of policemen, and overturning and damaging traffic posts and signals are violent acts and if at all anybody has done that they should be punished. The insinuation that the State Congress is responsible for these acts is rather most unhappy. At this rate if some body who passes along the road falls down and

suddenly passes away I am sure some body will come with another adjournment motion stating that the State Congress has committed murder. This kind of imputations and attributions should not be tolerated.

President : You have got one minute more.

Mr. K. M. Korah : Sir, I wish to point out one important matter more. I may respectfully submit Sir that I am not questioning the ruling of the Chair, but I sincerely believe and feel that the Chair has not really understood Mr. Joseph Kunju's speech and especially the significance of the word "abhasanmar".

Mr. Padiyara Joseph Kunju : Sir, a word of personal explanation. "ആഭാസതരം പറഞ്ഞു് എന്നല്ലാതെ സ്റ്റേറ്റ് കാൺഗ്രസ് കാരെ ഞാൻ ആഭാസന്മാരാണെ"ന്നു പറഞ്ഞിട്ടില്ല.

Mr. K. M. Korah : With all respect to my friend, I may say, that I had immediately noted down that word.

President : But the general rule of debate is that when an honourable member says that he has not said a particular word or expression that statement is accepted.

Mr. K. M. Korah : Yes, sir. Even if it is "abhasatharam" it is not a decent word in Malayalam language. Sir, in this connection I may refer to another word also used by the honourable member Mr. Kunju. On more occasions than one he said that we the members of the State Congress are a set of people without addresses. Sir, I enter my strong protest against that statement of the member. What he must have meant was that we are a set of wanderers or vagabonds. If the Chair had understood the significance of that word I am sure that would have been objected to. Sir, I am surprised that my honourable friend has the boldness to make such statements especially when some of us who know his ins and outs are here.

Mr. Padiyara Joseph Kunju അധികവും അങ്ങനെഉള്ളവർ തന്നെ.

President : The honourable member may conclude.

Mr. K. M. Korah :One word more before I conclude.

President : No. Mr. G. Narayana Aiyar may speak.

Mr. G. Narayana Aiyar : Sir, almost on all days we find that highly vulgar and inflammatory speeches are delivered at the meetings held at the Central Station maidan. It has become very difficult to go to that locality in the evening. The crowd that gather at such meetings is so great and the nature of the speeches delivered there is so very violent that no peaceful citizen can think of going over there to take some rest. Therefore, it is high time

Mr. G. Narayana Aiyar.]

that Government take hold of the miscreants and deal with them severely and restore peace and tranquillity in the town. With these words I support the motion.

Mr. M. Ramachandra Rao: Sir, I am not going to take part in the debate regarding this motion. But I wish to place before the House only a few facts connected with the incidents that took place on the 4th of this month. It is true Sir, that on that unfortunate day there happened all the incidents which were referred to by several honourable members in this House. I have also information that the crowd which marched through the road were composed of the audience of the meeting held on that evening in front of the Central Station. Action is being taken against the people who have been found responsible for the acts of violence. But, I cannot personally say that the State Congress membersare concerned in it. But so far as the members of the State Congress are concerned I may say that while any healthy agitation on their part would certainly be unobjectionable, I would request them to be absolutely non-violent according to their professed creed.

Mr. V. S. Arumukham Pillai: What about the meeting which was held yesterday evening?

Mr. M. Ramachandra Rao: The meeting that was held yesterday passed off peacefully and there were no acts of violence committed by the people who took part in that meeting.

Mr. C. O. Madhavan: Sir, in opposing the motion for the adjournment of the business of the House I may say that the Government are closely and most anxiously watching the recent developments. Sir, the events that are taking place in the town have been graphically described by members on the other side of the House and so I do not want to repeat what they have said. But I may say a few words about the attempts which have been made to disown the responsibilities for such happenings.

Mr. Kochikkal P. Balakrishnan Tampi; By whom?

Mr. C. O. Madhavan: I would just refer to one phase of these incidents. What is it that we find here? Meetings are held almost every day in the Central Station maidan, large crowds gather there and most violent and inflammatory speeches are made. And the people who hear the speeches naturally catch the spirit of what they hear and march along the main road doing all sorts of violent things. Life and property have become insecure in the town. Sir, who is responsible for all these things?

Mr. Kochikkal P. Balakrishnan Tampi: Government.

Mr. C. O. Madhavan: Yes, Sir, in a way Government are responsible, because up till now Government have not taken effective action against those responsible for these happenings.

Mr. Kottur Kunjukrishna Pillai: Hear, hear.

Mr. C. O. Madhavan: In that sense I agree with Mr. Balakrishnan Tampi. Sir, I have been hearing speeches in this House to show that the State Congress is not in any way connected with Youth League and that the Youth League is not connected with the incidents referred to. But I ask one question, We have been hearing of Youth League meetings that are held all over the country ... ...

Mr. Nedumangad R. Kesavan Nair: May I know whether the member is not aware of the meetings of the National Congress taking place?

Mr. C. O. Madhavan: Sir, I am not going to answer that question. To proceed with what I was saying I may state that the persons who preside and speak at these meetinings are the members of the State Congress.

Mr. Kottur Kunjukrishna Pillai: Was not the State Congress engaged in forming branches of the Youth League in various centres of the country?

Mr. Nedumangad R. Kesavan Nair: Sir, my question was not answered. I want to know whether meetings of the National Congress were not going on after the State Congress meetings were banned?

Mr. C. O. Madhavan: Sir, I do not see any relevancy in the question put by Mr. Kesavan Nair to the point I am at.

Mr. Nedumangad R. Kesavan Nair: There is ample relevancy.

President: I suppose it is for the Chair to decide the question of relevancy. I take that the honourable member, the Chief Secretary is saying that the Youth League meetings were really presided over by the State Congress people who also took active part in those meetings. The question of the National Congress holding meetings is irrelevant here.

Mr. C. O. Madhavan: After the meetings of the State Congress were prohibited we find meeting of the Youth League being held all over the country. Most of these meetings are being presded over by the State Congress people and they are also addressied by them.

Mr. Kochikkal P. Balakrishnan Tampi: Is it not because that they are the natural leaders of the people?

Mr. C. O. Madhavan: I don't want to dispute that. It is quite open to Mr. Thampi to assume the natural leadership of the people.

Mr. R. V Thomas: May I know from the honourable member whether the Youth League meetings are prohibited?

Mr. C. O. Madhavan: Sir, the question is irrelevant to what I was saying.

Mr. R. V. Thomas: May I know how my question is irrelevant?

President: It is for the Chair to decide the question of irrelevancy.

Mr. C. O. Madhavan: The meetings that were held at the Central Station maidan were also held under the auspices of the State Congress though not openly. The inflammatory speeches that were uttered in those meetings were responsible for all the incidents that happened on that particular day.

Mr. Kochikal P. Balakrishnan Tampi: Does the honourable member know that he is only paraphrasing the resolution before the House?

Mr. C. O. Madhavan: This clearly shows that there is a very close connection between the so-called Youth League and the State Congress.

President: The House will now adjourn *sine die.*

The House adjourned *sine die* at 5.30 P. M.

A. GUNAMONY,

Secretary to the Sri Chitra State Council.

Appendix·

THE TRAVANCORE HINDU INHERITANCE (REMOVAL OF DISABILITIES) BILL.

As passed by the Sri Chitra State Council.

Whereas it is necessary to amend the Hindu Law of inheritance as administered in Travancore relating to exclusion from inheritance of certain class of heirs and to remove certain doubts ; It is hereby enacted as follows :—

1. This Regulation may be called the Travancore Hindu Inheritance (Removal of Disabilities) Regulation, 1113.

2. It extends to the whole of Travancore.

3. It shall come into force at once.

4. Notwithstanding any rule of Hindu Law or custom to the contrary, no person governed by Hindu Law shall be excluded from inheritance, or from any right or share in joint family property by reason only of a disease, deformity or physical or mental defect.

5. Nothing contained in this Regulation shall affect any right which has accrued or any liability which has been incurred before the commencement of this Regulation or shall be deemed to confer upon any person any right in respect of any religious office or service or of the management of any religious or charitable trust which he would not have had if this Regulation had not been passed.

Office of the Secretary to the Sri Chitra State Council, Trivandrum, 22nd August 1938.

A. GUNAMONY,

Secretary to the Sri Chitra State Council·

Appendix i.

THE TRAVANCORE TRADE DISPUTES BILL.

(As passed by the Sri Chitra State Council.)

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THE TRAVANCORE TRADE DISPUTES BILL,

A REGULATION TO MAKE PROVISION FOR THE INVESTIGATION AND SETTLEMENT OF TRADE DISPUTES, AND FOR CERTAIN OTHER PURPOSES.

Preamble.

Whereas it is expedient to make provision for the investigation and settlement of trade disputes and for certain other purposes hereinafter appearing: It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Travancore Trade Disputes Regulation.

(2) It extents to the whole of Travancore.

(3) It shall come into force on such date as Our Government may, by notification in Our Government Gazette, appoint.

Interpretations.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) "Board" means a Board of Conciliation constituted under this Regulation;

(*b*) "Court" means a Court of inquiry constituted under this Regulation;

(*c*) "employer" in the case of any industry, business or undertaking carried on by any department of Our Government means the authority prescribed in this behalf or where no authority is prescribed, the head of the department;

(*d*) a person shall be deemed to be "independent" for the purpose of his appointment as the chairman or other member of a Court or a Board if he is unconnected with the dispute with reference to which the Court or the Board is appointed and with any trade or industry directly or indirectly affected by the dispute;

(*e*) "lock out" means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him, where such closing, suspension or refusal occurs in consequence of a dispute and is intended for the purposes of compelling those persons, or of aiding another employer in compelling persons employed by him, to accept terms or conditions of or affecting employment.

(*f*) "prescribed" means prescribed by rules made under this Regulation;

(*g*) "Trade Union" means any trade union registered under the provisions of the Travancore Trade Unions Regulation;

(*h*) "public utility service" means—

(i) any railway or other transport service which Our Government may, by notification in Our Government Gazette, declare to be a public utility service for the purposes of this Regulation; or

(ii) any anchal, postal, telegraph or telephone service; or

(iii) any industry, business or undertaking which supplies power, light or water to the public; or

(iv) any system of public conservancy or sanitation;

(*i*) "railway company" includes any persons, whether incorporated or not, who are owners or lessees of a railway or parties to an agreement for working a railway;

(*j*) "strike" means a cessation of work by a body of persons employed in any trade or industry acting in combination, or a concerted refusal or a refusal under a common understanding, of any number of persons who are or have been so employed to continue to work or to accept employment;

(*k*) "trade dispute" means any dispute or difference between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of the employment, or with the conditions of labour, of any person; and

(*l*) "workman" means any person employed in any trade or in industry to do any skilled or unskilled manual or clerical work for hire or reward, notwithstanding that such person has been discharged by the employer if the discharge is made during a strike or during a dispute that causes a strike but does not include any person employed in Our military service.

REFERENCE OF DISPUTES TO COURTS AND BOARDS.

Reference of disputes, to Courts or Boards.

3. If any trade dispute exists or is apprehended, Our Government or, if any Officer or body of persons is prescribed in that behalf by Our Government, such Officer or body of persons may, by order in writing—

(*a*) refer any matters appearing to be connected with or relevant to the dispute to a Court of Inquiry to be appointed by Our Government or by such Officer or body of persons as the case may be; or

(*b*) refer the dispute to a Board of Conciliation to be appointed by Our Government or by such Officer or body of persons, as the case may be for promoting a settlement thereof:

Provided that, where both parties to the dispute apply, whether separately or conjointly for a reference to a Court, or where both parties apply, whether separately or conjointly, for a reference to a Board, and the authority having the power to appoint is satisfied that the persons applying represent the majority of each party, a Court or a Board, as the case may be, shall be appointed accordingly.

COURTS OF INQUIRY.

Constitution of Courts.

4. (1) A Court shall consist of an independent chairman and such other independent persons as the appointing authority thinks fit, or may, if such authority thinks fit, consist on one independent person.

(2) A court having the prescribed quorum, may act notwithstanding the absence of the Chairman or any of its members:

Provided that, if the services or the Chairman cease to be available, the Court shall not act until a new Chairman has been appointed.

Duties of Courts.

5. (1) A Court shall, either in public or in private, at its discretion, inquire into the matters referred to it and report thereon to the authority by which the Court was appointed.

(2) A Court may, if it thinks fit, make interim reports.

Boards of Conciliation.

6. (1) A Board shall consist of a chairman, and two or four other members, as the appointing authority thinks fit, or may, if such authority thinks fit, consist of one independent person.

Constitution of Boards.

(2) Where the Board consists of more than one person, the chairman shall be an independent person and the other members shall be either independent person or persons appointed in equal numbers to represent the parties to the dispute; all persons appointed to represent any party shall be appointed on the commendation of that party:

Provided that, if any party fails to make the necessary recommendation within the prescribed time, the appointing authority shall select and appoint such pers ns as it thinks fit to represent that party.

(3) A Board having the prescribed quorum, may act notwithstanding the absence of the Chairman or any of its members:

Provided that, if the services of the Chairman, or where the the Board includes an equal number of persons representing the parties to the dispute, the services or any such person cease to be available, the Board shall not act until a new Chairman or member, as the case may be, has been appointed.

7. (1) Where a dispute has been referred to a Board under this Regulation, is shall be the duty of the Board to endeavour to bring about a settlement of the same and for this purpose the Board shall, in such manner as it thinks fit and without delay, investigate the dispute and all matters affecting the merits thereof and the right settlement thereof, and in so doing may do all such things as it thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute and may adjourn the proceedings for any period sufficient in its opinion to allow the parties to agree upon terms of settlement.

Duties of the Boards.

(2) If a settlement of a dispute is arrived at by the parties thereto after it has been referred to a Board and during the course of the investigation thereof a memorandum of the settlement shall be drawn up by the Board and signed by the parties and the Board shall send a report of the settlement, together with the memorandum, to the authority by which the Board was appointed.

(3) If no such settlement is arrived at during the course of the investigation, the Board shall, as soon as possible after the close thereof, send a full report regarding the dispute to the authority by which the Board was appointed setting forth the proceedings and steps taken by the Board for the purpose of ascertaining the facts and circumstances relating to the dispute and of bringing about a settlement thereof together with a full statement of such facts and circumstances and its findings thereon and the recommendation of the Board for he determination of the dispute.

(4) The recommendation of the Board shall deal with each item of the disp te and shall state in plain language what in the opinion of the Board ought and ought not to be done by the respective parties concerned.

General.

8. No order of Our Government or of such Officer or body or Persons as may be prescribed in that behalf, appointing any person as a member of a Court or a Board shall be called in question in any manner, in any Court of Law.

Finality of orders constituting a Court or Board.

9. (1) Courts and Boards shall, subject to the provisions of this Regulation, follow such procedure as may be prescribed.

Procedure and powers.

(2) Courts and Boards shall have the same powers as are vested in Courts under the Code of Civil Procedure, 1100, when trying a suit in respect of the following matters.—

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents and material objects; and

(c) issuing commissions for the examination of witness; and shall have such further powers as may be prescribed; and every inquiry or investigation by a Court or Board shall be deemed to be a judicial proceeding within the meaning of Sections 187 and 226 of the Travancore Penal Code.

10. (1) If the services of the chairman or of any other independent member of a Court or Board cease to be available at any time for the purposes of the Court or Board, the appointing authority shall in the case of a chairman, and may, in the case of any other member, appoint another independent person to fill the vacancy, and the proceedings shall be continued before the Court or Board so reconstituted.

Filling of vacancies

(2) Where the Court or Board consists of one person only and his services cease to be available as aforesaid, the appointing authority shall appoint another independent person in his place, and the proceedings shall be continued before the person so appointed.

(3) Where a Board includes an equal number of persons representing the parties to the dispute and the services of any such person cease to be available as aforesaid, the appointing authority shall appoint, in the manner specified in sub-section (2) of Section 6, another person to take his place, and the proceedings shall be continued before the Board so reconstituted.

Explanation.—Nothing in this section shall be deemed to prevent the reconstituted Court or Board from restarting the proceedings from any stage.

11. The report of a Court or Board shall be in writing and shall be signed by all the members of the Court or Board:

Form of report.

Provided that nothing in this section shall be deemed to prevent any member of a Court or Board from recording a minute of dissent from a report or from any recommendation made therein.

12. (1) The report of a Court or Board, together with any minute of dissent recorded therewith, shall, as soon as possible after its receipt by the authority by which the Court or Board was appointed, be published by that authority in such manner as it thinks fit.

Publication of results of inquiry.

(2) The said authority may publish or cause to be published from time to time, in such manner as such authority thinks fit, any information obtained or conclusions arrived at by the Court or Board as the result or in the course of its inquiry or investigation.

13. (1) Notwithstanding anything contained in Section 12, there shall not be included in any report or publication made or authorised by a Court or Board or the authority appointing a Court or Board any information obtained by the Court or Board in the course of its inquiry or investigation as to any

Certain matters to be kept confidential.

Trade Union or as to any individual business (whether carried on by a person, firm or company) which is not available otherwise than through evidence given before the Court or Board, if the Trade Union, person, firm, or company in question has preferred a *written* request to the Court or Board that such information shall be treated as confidential; nor shall any individual member of the Court or Board or any person concerned in the proceedings before it disclose any such information without the consent in writing of the secretary of the Trade Union or the person, firm or company in question, as the case may be.

(2) If any member of a Court or Board or any person present at or concerned in the proceedings before a Court or Board wilfully discloses any information in contravention of the provision of sub-section (1) he shall, on complaint made by or under the authority of the Trade Union or individual business affected, be punishable with fine which may extend to one housand rupees:

Provided that nothing in this sub-section shall apply to the disclosure of any such information for the purposes of a prosecution under Section 187 of the Travancore Penal Code.

(3) No criminal court inferior to that of a Magistrate of the First Class shall try any offence under this section.

(4) No criminal court shall take cognisance of any offence under this section except with the previous sanction of the authority appointing such Court or Board; and no civil court shall without the like sanction entertain any suit against a member of a Court or Board, or any person present at or concerned in the proceedings before a Court or Board, for any matter arising out of such proceedings.

Representation of parties.

14. Subject to such conditions and restrictions as may be prescribed, any party to a dispute under inquiry or investigation by a Court or Board shall be entitled to be represented before the Court or Board by a legal practitioner.

SPECIAL PROVISION REGARDING PUBLIC UTILITY SERVICES.

Sudden strikes and lock-outs in utility services.

15. (1) Any person who, being employed in a public utility service, goes on strike in breach of contract *express are implied* without having given to his employer *and to the prescribed authority* within one month before so striking, not less than fourteen days previous notice in writing of his intention to go on strike or, having given such notice, goes on strike before the expiry thereof, shall be punishable with imprisonment which may extend to one month, or with fine which may extend to fifty rupees, or with both.

(2) any employer carrying on any public utility service who locks out (*any of his workmen* in breach of contract *express or implied* without having given *to them and to the prescribed authority* within one month before such lock-out, not less than fourteen days' notice in writing of his intention to lock them out, or, having given such notice, locks them out before the expiry thereof, shall be *punishable with* imprisonment which may extend to one month, or *with fine* which may extend to one thousand rupees or with both.

(3) Where the employer committing an offence under sub-section (2) is a corporation, company or other association of persons, any secretary, director or other officer or person concerned with the management thereof shall be punishable as therein provided unless he proves that the offence was committed without his knowledge or without his consent.

(4) No *Criminal* Court shall take cognisance of any offence under this Section or of the abetment of any such offence save on complaint made by or under authority from Our Government, or such officer as may be prescribed in that behalf.

(5) No *Criminal* Court, inferior to that of a Magistrate of the First Class, shall try any offence under this Section.

SPECIAL PROVISION FOR ILLEGAL STRIKES AND LOCK-OUTS.

16 (1) A strike or a lock-out shall be illegal which -

Illegal strikes and lock-outs.

(*a*) has any object other than the furtherance of a trade dispute within the trade or industry in which the strikers or employers locking out are engaged; and

(*b*) is designed or calculated to inflict severe, general and prolonged hardship upon the community and thereby to compel Our Government to take or abstain from taking any particular course of action.

(2) It shall be illegal to commence or continue, or to apply any sums in direct furtherance or support of any such illegal strike or lock out.

(3) For the purposes of this oSection,

(*a*) a trade dispute shall not be deemed to be within a trade or industry unless it is a dispute between employers and workmen or between workmen and workmen in that trade or industry, which is connected with the employment or non-employment or the terms of the employment or with the conditions of labour of persons in that trade or industry;

(*b*) without prejudice to the generality of the expression "trade or industry" workmen shall be deemed to be within the same trade or industry if their wages or conditions of employment are determined in accordance with agreements made with the same employer or group of employers.

(4) A strike or a lock-out shall not be deemed to be calculated to compel Our Government unless such complusion might reasonably be expected as a consequence thereof

17. (1) If any person *commences, continues,* declares *or* instigates, *or* incites others to take part in or otherwise acts in furtherance of a strike or lock-out which is illegal under the provisions of Section 16, he shall be punishable with simple imprisonment which may extend to three months, or with fine which may extend to two hundred rupees or with both;

Penalties.

Provided that no person shall be deemed to have committed an offence under this section by reason only of his having ceased work or refused to continue to work or to accept employment.

(2) No *Criminal* Court shall take cognisance of any offence under this Section save on complaint made by, or under authority from, Our Government or such Officer as may be prescribed in that behalf.

(3) No *Criminal* Court inferior to that of a Magistrate of the First Class shall try any offence under this Section.

18. (1) No person refusing to take part, or to continue to take part, in any strike or look out which is illegal under the provisions of Section 16, shall, by reason of such refusal or by reason of any action taken by him under this section, be subject to expulsion from any Trade Union, or to any fine or penalty or to deprivation of any right or benefit to which he or his legal representatives would otherwise be entitled, or be liable to be placed in any respect, either directly or indirectly, under any disability or at any disadvantage as compared with other members of the union, anything to the contrary in the rules of a Trade Union notwithstanding.

Protection of persons withholding from illegal strike or lock-out.

(2) Nothing in the rules of a Trade Union requiring the settlement of dispute in any manner shall apply to any proceeding for enforcing any right or exemption secured by this section, and in any such proceeding the Civil Court may, in lieu of ordering a person who has been expelled from membership of a Trade Union to be restored to membership, order that he be paid out of the funds of the trade union such sum by way of compensation or damages as that Court thinks just.

RULES.

19. (1) Our Government may make rules for the purpose of giving effect to the provisions of this Regulation.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the constitution, powers and procedure of Courts and Boards, including rules as to the summoning of witnesses, the production of documents relevant to the subject-matter of an inquiry or investigation and the number of members necessary to form a quorum;

(b) the allowances admissible to members of Courts and Boards and to witnesses;

(c) the ministerial establishment which may be allotted to a Court or Board and the salaries and allowances payable to members of such establishments;

(d) the conditions and restrictions subject to which persons may be represented by legal practitioners in proceedings under this Regulation before a Court or Board;

(e) any other matter which is to be or may be prescribed.

(3) All rules made under this Section shall be published in Our Government Gazette and shall on such publication, have effect as if enacted in this Regulation.

Office of the Secretary to
the Sri Chitra State Council,
Trivandrum, 19th August 1938.

A. GUNAMONY,
the Secretary to
Sri Chitra State Council,

Appendix II.

THE TRAVANCORE FACTORIES BILL.

(As passed by the Sri Chitra State Council.)

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THE TRAVANCORE FACTORIES BILL.

(*As passed by the Sri Chitra State Council.*)

A Regulation to consolidate and amend the law regulating labour in factories.

Whereas it is expedient to consolidate and amend the law regulating labour in factories ; It is hereby enacted as follows :—

Preamble.

CHAPTER I.

Preliminary.

Short title, extent and commencement. 1. (1) This Regulation may be called the Travancore Factories Regulation, 1114.

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Definition. 2. In this Regulation, unless there is anything repugnant in the subject or context—

(*a*) "adolescent" means a person who has completed his fifteenth but has not completed his seventeenth year ;

(*b*) "adult" means a person who has completed his seventeenth year;

(*c*) "child" means a person who has not completed his fifteenth year;

(*d*) "day" means a period of twenty-four hours beginning at midnight;

(*e*) "week" means a period of seven days beginning at midnight on Saturday night;

(*f*) "power" means electrical energy and any other form of energy which is mechanically transmitted and is not generated by human or animal agency;

(*g*) "manufacturing process" means any process—

(i) for making, altering, repairing, ornamenting, finishing or packing, or otherwise treating any article or substance with a view to its use, sale transport, delivery or disposal, or

(ii) for pumping oil, water or sewage, or

(iii) for generating, transforming or transmitting power ;

(*h*) "worker" means a person employed, whether for wages or not, in any manufacturing process, or in cleaning any part of the machinery or premises used for a manufacturing process, or in any other kind of work whatsoever incidental to or connected with the manufacturing process or connected with the subject of the manufacturing process, but does not include any person solely employed in a clerical capacity in any room or place where no manufacturing process is being carried on ;

(*j*) "factory" means any premises including the precincts thereof whereon twenty or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power, or is ordinarily so carried on, but does not include a mine subject to the operation of the Travancore Mines and Minerals Regulation;

(*k*) "machinery" includes all plant whereby power is generated, transormed, transmitted or applied;

(*l*) "occupier" of a factory means the person who has ultimate control over the affairs of the factory:

Provided that where the affairs of a factory are entrusted to a managing agent such agent shall be beemed to be the occupier of the factory;

(*m*) where work of the same kind is carried out by two or more sets of workers working during different periods of the day, each of such sets is called a "relay," and the period or periods for which it works is called a "shift"; and

(*n*) "prescribed" means prescribed by rules made by Our Government under this Regulation.

References to time of day.

3. References to time of day in this Regulation are references to such time as may be prescribed to be observed, and, in the absence of any such time, to Indian Standard Time, which is five and a half hours ahead of Greenwhich Mean Time.

Seasonal factories.

4. (1) For the purposes of this Regulation, a factory which is exclusively engaged in one or more of the following manufacturing processes, namely, cotton ginning, cotton or jute pressing, the decortication of groundnuts, the manufacture of coffee, indigo, lac, rubber, sugar (including molasses and jaggery) or tea, or any manufacturing process which is incidental to or connected with any of the aforesaid processes, is a seasonal factory:

Provided that Our Government may, by notification in Our Government Gazette, declare any such factory in which manufacturing processes are ordinarily carried on for more than one hundred and eighty working days in the year, not to be a seasonal factory for the purposes of this Regulation.

(2) Our Government may, by notification in Our Government Gazette declare any specified factory in which manufacturing processes are ordinarily carried on for not more than one hundred and eighty working days in the year and cannot be carried on except during particular seasons or at times dependent on the irregular action of natural forces, to be a seasonal factory for the purposes of this Regulation.

Power to declare premises to be factories.

5. (1) Notwithstanding anything contained in clause (*j*) of Section 2. Our Government may, by notification in Our Government Gazette, declare any premises whereon or within the precincts whereof a manufacturing process is carried on, whether with or without the aid of power and whereon or within the precincts whereof, on any one day of the twelve months preceding the notification, ten or more workers were employed, to be a factory for all or any of the purposes of this Regulation.

(2) A notification under sub-section (1) may be made in respect of any specified premises or class of premises.

(3) A notification under sub-section (1) shall cease to have effect in respect of any premises after the lapse of twelve months during which not more than nine workers were employed thereon on any day.

6. Our Government may, by order in writing, direct that the different departments or branches of a specified factory shall be treated as separate factories for all or any of the purposes of this Regulation.

Power to declare departments to be separate factories.

7. Where Our Government are satisfied that, following upon a change of occupier of a factory or in the manufacturing processes carried on therein, the number of workers for the time being working in the factory is less than twenty and is not likely to be twenty or more on any day during the ensuing twelve months, it may by order in writing, exempt such factory from the operation of this Regulation :

Power to exempt on a change in the factory.

Provided that any exemption so granted shall cease to have effect on and after any day on which twenty or more workers work in the factory.

8. In any case of public emergency Our Government may, by notification in Our Government Gazette, exempt any factory from any or all of the provisions of this Regulation for such period as they may think fit.

Power to exempt during public emergency.

9. (1) Before work is begun in any factory after the commencement of this Regulation or before work is begun in any seasonal factory each season, the occupier, shall send to the Inspector a written notice containing—

Notice to Inspector before commencement of work.

(*a*) the name of the factory and its situation,

(*b*) the address to which communications relating to the factory should be sent,

(*c*) the nature of the manufacturing processes to be carried on in the factory,

(*d*) the nature and the amount of the power to be used, and

(*e*) the name of the person who shall be the manager of the factory for the purposes of this Regulation.

(2) Whenever another person is appointed as Manager, the occupier shall send to the Inspector a written notice of the change, within seven days from the date on which the new Manager assumes charge.

(3) During any period for which no person has been designated as Manager of a factory under this Section, or during which the person designated does not manage the factory any person found acting as Manager, or, if no such person is found, the occupier himself, shall be deemed to be the Manager of the factory for the purposes of this Regulation.

CHAPTER II.

The Inspecting Staff.

10. (1) Our Government may, by notification in Our Government Gazette, appoint such persons as they think fit to be Inspectors for the purposes of this Regulation whithin such local limits as they may assign to them respectively,

Inspectors.

(2) Our Government may, by notification as aforesaid, appoint any person to be a Chief Inspector, who shall, in addition to the powers conferred on a Chief Inspector under this Regulation, exercise the powers of an Inspector throughout the State.

(3) No person shall be appointed to be an Inspector under sub-section (1) or a Chief Inspector under sub-section (2) or, having been so appointed, shall continue to hold office, who is or becomes directly or indirectly interested in a factory or in any process or business carried on therein or in any patent or machinery connected therewith

(4) Every District Magistrate shall be an Inspector for his district.

(5) Our Government may also, by notification as aforesaid, appoint such public officers as they think fit to be additional Inspectors for all or any of the purposes of this Regulation within such local limits as they may assign to them respectively.

(6) In any area where there are more Inspectors than one, Our Government may, by notification as aforesaid, declare the powers which such Inspectors shall respectively exercise, and the Inspector to whom the prescribed notices are to be sent.

(7) Every Chief Inspector and Inspector shall be deemed to be a public servant, within the meaning of the Travancore Penal Code and shall be officially subordinate to such authority as Our Government may specify in this behalf.

Powers of Inspectors.

11. Subject to any rules made by Our Government in this behalf, an Inspector may within the local limits for which he is appointed,—

(a) enter with such assistants (if any), being persons in the employment of Our Government or of any Municipal or other public authority, as he thinks fit, any place which is, or which he has reason to believe to be, used as factory or capable of being declared to be a factory under the provisions of Section 5 ;

(b) make such examination of the premises and plant and of any prescribed registers, and take on the spot or otherwise such evidence of any persons as he may deem necessary for carrying out the purposes of this Regulation ; and

(c) exercise such other powers as may be necessary for carrying out the purposes of this Regulation ;

Provided that no one shall be required under this Section to answer any question or give any evidence tending to criminate himself.

Certifying Surgeons.

12. (1) Our Government may appoint such registered medical practitioners as they think fit to be certifying surgeons for the purposes of this Regulation within such limits as they may assign to them respectively.

(2) A certifying surgeon may authorise any registered medical practitioner to exercise any of his powers under this Regulation ;

Provided that a certificate of fitness for employment granted by such authorised practitioner shall be valid for a period of three months only, unless it is confirmed by the certifying surgeon himself after examination of the person concerned.

Explanation.—In this Section a "registered medical practitioner" means any person possessing the qualifications prescribed or any person declared by Our Government by notification in Our Government Gazette, to be a registered medical practitioner for the purposes of this Section.

CHAPTER III.

Health and Safety.

Cleanliness.

13. Every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance, and shall be cleansed at such times and by such methods as may be prescribed and these methods may include lime-washing or colour-washing, painting, varnishing, disinfecting and deodorising.

Ventilation.

14. (1) Every factory shall be ventilated in accordance with such standards and by such methods as may be prescribed.

(2) Where gas, dust or other impurity is generated in the course of work, adequate measures shall be taken to prevent injury to the health of workers.

(3) If it appears to the Inspector that in any factory gas, dust or other impurity generated in the cour e of work is being inhaled by the workers to an injurious extent, and that such generation or inhabation should be prevented by the use of mechanical or other devices, he may serve on the manager of the factory an order in writing, directing that mechanical or other devices for preventing such generation or inhalation shall be provided before a specified date, and shall thereafter be maintained in good order and used throughout working hours.

(4) Our Government may make rules for any class of factories requiring mechanical or other devices to be provided and maintained for preventing the generation or inhalation of gas, dust or other impurities, which may be injurious to workers and specifying the nature of such devices.

Artificial humidification.

15. (1) Our Government may make rules.—

(*a*) prescribing standards for the cooling properties of the air in factories in which the humidity of the air is artificially increased ;

(*b*) regulating the methods used for artificially increasing the humidity of the air ; and

(*c*) directing prescribed tests for determining the humidity and cooling properties of the air to be carried out and recorded.

(2) In any factory in which the humidity of the air is artificially increased the water used for the purpose shall be taken from a public supply or other source of drinking water, or shall be effectively purified before it is so used.

(3) If it appears to the Inspector that the water used in factory for increasing humidity which is required to be effectively purified under sub-section (2) is not effectively purified, he may serve on the manager of the factory an order in writing specifying the meaures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

Cooling.

16. If it appears to the Chief Inspector or to an Inspector specially authorised in this behalf by Our Government that the cooling properties of the air in any factory are at times insufficient to secure workers against injury to health against serious discomfort, and that they can be to a great extent increased by measures which will not involve an amount of expense which is unreasonable in the circumstances, the Chief Inspector may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

17. In order that no room in a factory shall be crowded during working hours to a dangerous extent or to an extent which may be injurious to the health of the workess, the proportion which the number of cubic feet of space in a room and the number of superficial feet of its floor area bears to the number of workers working at any time therein shall not be less than such standards as may be prescribed either generally or for the particular class of work carried on in the room.

Overcrowding.

Lighting.

18. (1) A factory shall be sufficiently lighted during all working hours.

(2) If it appears to the Inspector that any factory is not sufficiently lighted, he may serve on the manager of the factory an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(3) Our Government may make rules requiring that all factories of specified classes shall be lighted in accordance with proscribed standards.

Water.

19. (1) In every factory a sufficient supply of water fit for drinking shall be provided for the workers at suitable places.

(2) The supply required by sub-section (1) shall comply with such standards as may be prescribed.

(3) In every factory in which any process involving contact by the workers with injurious or obnoxious substances is carried on a sufficient supply of water suitable for washing shall be provided for the use of workers at suitable places and with facilities for its use, according to such standards as may be prescribed.

Latrines and urinals.

20. For every factory sufficient latrines and urinals, according to the prescribed standards shall be provided, for male workers and for female workers separately, of suitable patterns and at convenient places as prescribed, and shall be kept in a clean and sanitary condition during all working hours.

Doors to open outwards.

21. In every factory the doors of each room in which more than twenty persons are employed shall, except in the cases of sliding doors, be constructed so as to open outwards, or, where the door is between two rooms, in the direction of the nearest exit from the building, and no such door shall be locked or obstructed while any work is being carried on in the room.

Precautions against fire.

22. In every factory such precautions against fire shall be taken as may be prescribed.

Means of escape.

23. (1) Every factory shall be provided with such means of escape in case of fire as can reasonably be required in the circumstances of each factory.

(2) If it appears to the Inspector that any factory is not so provided he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

(3) The means of escape shall not be obstructed while any work is being carried on in the factory.

Fencing.

24. (2) In every factory the following shall be kept adequately fenced, namely,—

(*a*) every exposed moving part of a prime mover and every flywheel directly connected to a prime mover,

(*b*) every hoist or lift, hoist-well or lift-well, and every trap-door or similar opening near which any person may have to work or pass, and

(*c*) every part of the machinery which Our Government may prescribe.

(2) If it appears to the Inspector that any other part of the machinery in a factory is dangerous if not adequately fenced, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to b carried out before a specified date.

(3) All fencing required by or under this Section or under sub-section (1) of Section 26 shall be maintained in an efficient state at all times when the workers have access to the parts required to be fenced except where they are under repair or are under examination in connection with repair or are necessarily exposed for the purpose of cleaning or lubricating or altering the gearing or arrangements of the machinery.

(4) Such further provisions as may be prescribed shall be made for the protection from danger of persons employed in attending to the machinery in a factory.

Power to require specifications of defective parts or tests of stability.

25. If it appears to the Inspector that any building or part of a building, or any part of the ways, machinery or plant in a factory is in such a condition that it may be dangerous to human life or safety, he may serve on the manager of the factory an order in writing requiring him before a specified date—

(*a*) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety, or

(*b*) to carry out such tests as may be necessary to determine the strength or quality of any specified parts and to inform the Inspector of the results thereof.

Safety of buildings and machinery.

26. (1) If it appears to the Inspector that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it is dangerous to human life or safety, he may serve on the manager of the factory an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a specified date.

(2) If it appears to the Inspector that the use of any building or part of a building or of any part of the ways, machinery or plant in a factory involves imminent danger to human life or safety, he may serve on the manager of the factory an order in writing prohibiting its use until it has been properly repaired or altered.

Restrictions on work near machinery in motion.

27. (1) No woman or child shall he allowed to clean or oil any part of the machinery of a factory while that part is in motion under power, or to work between moving parts or between fixed and moving parts of any machinery which is in motion under power.

(2) Our Government may, by notification in Our Government Gazette, prohibit, in any specified factory or class of factories, the cleaning or oiling by any person of specified parts of machinery when these parts are in motion under power.

28. (1) Our Government may make rules prohibiting the admission to any specified class of factories, or to specified parts thereof, of children who cannot be lawfully employed therein.

Power to exclude children.

(2) If it appears to the Inspector that the presence in any factory or part of a factory of children who cannot be lawfully employed therein may be dangerous to them or injurious to their health, he may serve on the manager of the factory an order in writing directing him to prevent the admission of such children to the factory or any part of it.

29. No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton-opener is at work:

Prohibition of employment of women and children near cotton openers.

Provided that, if the feed-end of a cotton opener a is in room separated from the delivery end by a partition extending to the roof, or to such height as the Inspector may in any particular case specify in writing, women and children may be employed on the side of the partition where the feed-end is situated.

30. Where in any factory an accident occurs which causes death, or which causes any bodily injury whereby any person injured is prevented from resuming his work in the factory during the forty-eight hours after the accident occurred, or which is of any nature which may be prescribed in this behalf, the manager of the factory shall send notice thereof to such authorities, and in such form and within such time as may be prescribed.

Notice of certain accidence.

31. (1) The manager of a factory on whom an order in writing by an Inspector has been served under the provisions of this Chapter, or the occupier of the factory, may within thirty days or the service of the order, appeal against it to Our Government or to such authority as Our Government may appoint in this behalf, and Our Government or appointed authority may, subject to rules made in this behalf by Our Government, confirm, modify or reverse the order.

Appeals.

(2) The appellate authority may, and if so required in the petition or appeal shall, hear the appeal with the aid of assessors, one of whom shall be appointed by the appellate authority and the other by such body representing the industry concerned as Our Government may prescribe in this behalf:

Provided that if no assessor is appointed by such body, or if the assessor so appointed fails to attend at the time and place fixed for hearing the appeal, the appellate authority may unless satisfied that the failure to attend is due to sufficient cause, proceed to hear the appeal without the aid of such assessor, or, if it thinks fit, without the aid of any assessor.

(3) In the case of an appeal against an order under Section 16 the appellate authority shall, and in any other case except an appeal against an order under sub-section (2) of Section 26 or sub-section (2) of Section 28 the appellate authority may suspend the order appealed against pending the decision of the appeal, subject however to such conditions as to partial compliance or the adoption of temporary measures as it may choose to impose in any case.

32. Our Government may make rules,—

Power of Government to make rules to supplement this Chapter.

(*a*) Providing for any matter which, according to any of the provisions of this Chapter is or may be prescribed ;
(*b*) requiring the managers of factories to maintain stores of first aid appliances and provide for their proper custody ;
(*c*) providing against danger arising from the use of mechanical transport in factories ; other than railways ;
(*d*) prescribing the manner of the service of orders under this Chapter on managers of factories ;
(*e*) regulating the procedure to be followed in presenting and hearing appeals under Section 31 and the appointment and remuneration of assessors ;
(*f*) regulating the exercise by Inspectors of their powers under this Chapter ; and
(*g*) providing for any other matter which may be expedient in order to give effect to the provisions of this Chapter.

Additional power to make health and safety rules relating to shelters during rest.

33. (1) Our Government may make rules requiring that in any special factory, wherein more than one hundred and fifty workers are ordinarily employed, an adequate shelter shall be provided for the use of workers during periods of rest, and such rules may prescribe the standards of such shelters.

(2) Our Government may also make rules,—

Rooms for children.

(*a*) requiring that in any specified factory, wherein more than fifty women workers are ordinarily employed, a suitable room shall be reserved for the use of children under the age of six years belonging to such women ; and
(*b*) prescribing the standards for such rooms and the nature of the supervision to be exercised over the children therein.

Certificate of stability.

(3) Our Government may also make rules for any class of factories and for the whole or any part of the State, requiring that work on a manufacturing process carried on with the aid of power shall not be begun in any building or part of a building erected or taken into use as a factory after the commencement of this Regulation until a certificate of stability in the prescribed form, signed by a person possessing the prescribed qualifications, has been sent to the Inspector.

(4) Where Our Government are satisfied that any operation in a factory exposes any person employed upon it to a serious risk of bodily injury, poisoning or disease, they may make rules applicable to any factory or class of factories in which the operation is carried on.—

Hazardous operations.

(*a*) specifying the operation and declaring it to be hazardous ;

(*b*) prohibiting or restricting the employment of women, adolescents or children upon the operation ;

(*c*) providing for the medical examination of persons employed or seeking to be employed upon the operation and prohibiting the employment of persons not certified as fit for such employment ; and

(*d*) providing for the protection of all persons employed upon the operation or in the vicinity of the places where it is carried on.

CHAPTER IV.

Restrictions on working hours of adults.

34. No adult worker shall be allowed to work in a factory for more than fifty-four hours in any week, or, where the factory is a seasonal one, for more than sixty hours in a week :

Weekly hours.

Provided that an adult worker in a non-seasonal factory engaged in work which for technical reasons must be continuous throughout the day may work for fifty-six hours in any week.

35. (1) No adult worker shall be allowed to work in a factory on a Sunday unless—

Weekly holiday.

(*a*) he has had or will have a holiday for a whole day on one of the three days immediately before or after that Sunday ; and

(*b*) the manager of the factory has, before that Sunday or the substituted day, whichever is earlier:—

(i) delivered a notice to the office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be substituted, and

(ii) displayed a notice to that effect in the factory :

Provided that no substitution shall be made which will result in any worker working for more than 10 days consecutively without a holiday for a whole day.

(2) Notices given under sub-section (1) may be cancelled by a notice delivered to the office of the Inspector and a notice displayed in the factory not later than the day before the Sunday or the holiday to be cancelled, whichever is earlier.

(3) Where, in accordance with the provisions of sub-section (1), any worker works on a Sunday and has had a holiday on one of the three days immediately before it, that Sunday shall, for the purpose of calculating his weekly hours of work, be included in the preceding week.

36. No adult worker shall be allowed to work in a factory for more than ten hours in any day :

Daily hours.

Provided that a male adult worker in a seasonal factory may work for eleven hours in any day.

Intervals for rest. 37. The periods of work of adult workers in a factory during each day shall be fixed either—

(*a*) so that no period shall exceed six hours, and so that no worker shall work for more than six hours before he has had an interval for rest of at least one hour ; or

(*b*) so that no period shall exceed five hours and so that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour, or for more than eight and a half before he has had at least two such intervals.

Spread over. 38. The period of work of an adult worker in a factory shall be so arranged that, along with his intervals for rest under Section 37, they shall not spread over more than thirteen hours in any day, save with the permission of Our Government and subject to such conditions as they may impose, either generally or in the case of any particular factory.

Notice of periods for work for adults and preparation thereof. 39. (1) There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of Section 76 a Notice of Periods for work for adults showing clearly the periods within which adult workers may be required to work

(2) The periods shown in the Notice required by sub-section (1) shall be fixed beforehand in accordance with the following provisions of the section and shall be such that workers working for those periods would not be working in contravention of any of the provisions of Sections 34, 35, 36, 37 and 38.

(3) Where all the adult workers in a factory are required to work within the same periods, the manager of the factory shall fix those periods for such workers generally.

(4) Where all the adult workers in a factory are not required to work within the same periods, the manager of the factory shall classify them into groups according to the nature of their work.

(5) For each group which is not required to work on a system of shifts, the manager of the factory shall fix the periods within which the group may be required to work.

(6) Where any group is required to work on a system of shifts and the relays are not subject to pre-determined periodical changes of shift, the manager of the factory shall fix the periods within which each relay of the group may be required to work.

(7) Where any group is to work on a system of shifts and the relays are to be subject to pre-determined periodical changes of shifts, the manager of the factory shall draw up a scheme of shifts whereunder the periods within which any relay of the group may be required to work and the relay which will be working at any time of the day shall be known for any day.

(8) Our Government may make rules prescribing forms for the Notice of Periods for work for adults and the manner in which it shall be maintained.

Copy of Notice of Periods for Work to be sent to Inspector.

40. (1) A copy of the Notice referred to in sub-section (1) of Section 39 shall be sent in duplicate to the Inspector within fourteen days after the commencement of this Regulation, or, if the factory begins work after the commencement of this Regulation, before the day on which it begins work.

(2) Any proposed change in the system of work in a factory which will necessitate a change in the Notice shall be notified to the Inspector in duplicate before the change is made, and, except with the previous sanction of the Inspector no such change shall be made until one week has elapsed since the last change.

Register of adult workers.

41. (1) The manager of every factory shall maintain a Register of Adult Workers showing,—

(a) the name of each adult worker in the factory ;

(b) the nature of his work;

(c) the group, if any, in which he is included;

(d) where his group works on shifts, the relay to which he is allotted; and

(e) such other particulars as may be prescribed :

Provided that, if the Inspector is of opinion that any muster roll or register maintained as part of the routine of a factory gives in respect of any or all of the workers in the factory, the particulars required under this Section, he may, by order in writing, direct that such muster roll or register shall to the corresponding extent be maintained in place of and be treated as the Register of Adult Workers in that factory ;

Provided further that, wherever Our Government are satisfied that the conditions of work in any factory or class of factories are such that there is no appreciable risk of contravention of the provisions of this Chapter in the case of that factory or factories of that class, as the case may be, Our Government may, by written order exempt, on such conditions as they may impose, that factory or all factories of that class, as the case may be, from the provisions of this Section.

(2) Our Government may make rules prescribing the form of the Register of Adult Workers, the manner in which it shall be maintained and the period for which it shall be preserved.

Hours of work to correspond with Notice under Sections 39 and Register under Section 41

42. No adult worker shall be allowed to work otherwise than in accordance with the Notice of periods for work for adults displayed under sub-section (1) of Section 39 and the entries made beforehand against the name in the Register of Adult Workers maintained under Section 41.

Power to make rules exempting from restrictions.

43. (1) Our Goverment may make rules defining the persons who hold positions of supervision or management or are employed in a confidential position in a factory and the provisions of this Chapter other than the provisions of clause (b) of sub-section (1) of Section 45 and of the provisos to that sub-section shall not apply to any person so defined.

(2) Our Government may make rules for adult workers providing for the exemption, to such extent and subject to such conditions as may be prescribed in such rules,—

(*a*) of workers engaged on urgent repairs from the provisions of Sections 34, 35, 36, 37 and 38;

(*b*) of workers engaged in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory from the provisions of Sections 34, 36, 37 and 38;

(*c*) of workers engaged in work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest required under Section 37 from the provisions of Sections 34, 36, 37 and 38;

(*d*) of workers engaged in any work which for technical reasons must be carried on continuously throughout the day from the provisions of Sections 34, 35, 36, 37 and 38;

(*e*) of workers engaged in making or supplying articles of prime necessity which must be made or supplied every day from the provisions of Section 35;

(*f*) of workers engaged in a manufacturing process which cannot be carried on except during fixed seasons from the provisions of Section 35;

(*g*) of workers engaged in a manufacturing process which cannot be carried on except at times dependent on the irregular action of natural forces from the provisions of Section 35 and Section 37; and

(*h*) of workers engaged in engine-rooms or boiler-houses from the provisions of Section 35.

(3) Rules made under sub-section (2) providing for any exemption may also provide for any consequential exemption from the provision of Section 39 and 40 which Our Government may deem to be expedient, subject to such conditions as they may impose.

(4) In making rules under this Section Our Government shall prescribe the maximum limits for the weekly hours of work for all classes of workers, and any exemption given other than an exemption under clause (*a*) of sub-section (2), shall be subject to such limits.

(5) Rules made under this Section shall remain in force for not more than three years.

Powers to make orders exempting from restrictions.

44. (1) Where Our Government are satisfied that, owing to the nature of the work carried on or to other circumstances, it is unreasonable to require that the periods of work of any adult workers in any factory or class of factories should be fixed beforehand, they may, by written order, relax or modify the provisions of Section 39 and 40 in respect of such workers to such extent and in such manner as they may think fit, and subject to such conditions as they may deem expedient to ensure control over periods of work.

(2) Our Government, or subject to the control of Our Government the Chief Inspector, may by written order, exempt, on such conditions as they or he may deem expedient any or all of the adult workers in any factory, or group or class of factories, from any or all of the provisions or Sections 34, 35, 36, 37, 38, 39 and 40 on the ground that the exemption is required to enable the factory or factories to deal with an exceptional press of work.

(3) Any exemption given under sub-section (2) in respect of weekly hours of work shall be subject to the maximum limits prescribed under sub-section (4) of Section 43.

(4) An order under sub-section (2) shall remain in force for such period as it may specify, but in no case for more than two months from the date on which notice thereof is given to the manager of the factory.

Further restrictions on the employment of women.

45. (1) The provisions of this Chapter shall, in their application to women workers in factories, be supplemented by the following further restrictions namely :—

(*a*) no exemption from the provisions of Section 36 may be granted in respect of any women ; and

(*b*) no women shall be allowed to work in a factory except between 7 A. M. and 5 P. M.;

Provided that Our Governmet may, by notification in Our Government Gazette, in respect of any Class or Classes of factories and for the whole year or any part of it, vary the limits laid down in clause (b) to any span of thirteen hours between 5 A. M. and 7-30 P. M. :

Provided further that, in respect of any seasonal factory or class of seasonal factories in a specified area, Our Government may make rules imposing a further restriction by defining the period or periods of the day within which women may be allowed to work, such that the period or periods so defined shall lie within the span fixed by clause (*b*) or under the above proviso and shall not be less than ten hours in the aggregate.

(2) Our Government may make rules providing for the exemption from the above restriction, to such extent and subject to such conditions as they may prescribe, of women working in fish-curing or fish-canning factories, where the employment of women beyond the said hours is necessary to prevent damage to or deterioration in any raw material.

(3) Rules made under sub-section (2) shall remain in force for not more than three years.

Special provisions for night-shifts.

46. Where a worker works on a shift which extends over midnight the ensuing day for him shall be deemed to be the period of twenty-four hours beginning when such shift ends, and the hours he has worked after midnight shall be counted towards the end of the previous day:

Provided that Our Government may, by order in writing direct that in the case of any specified factory or any specified class of workers therein the ensuing day shall be deemed to be the period of twenty-four hours beginning when such shift begins and that the hours worked before midnight shall be counted towards the ensuing day.

Extra pay for overtime.

47. (1) Where a worker in a factory works for more than sixty hours in any week,

or where a worker in a factory other than a seasonal factory works for more than ten hours in any day,

he shall be entitled in respect of the over-time worked to pay at the rate of one-and-a-half times his ordinary rate of pay.

(2) Where a worker in a factory other than a seasonal factory works for more hours in any week than are permitted under Section 34, he shall be entitled, in respect of the overtime worked excluding any overtime in respect of which he is entitled to extra pay under sub-section (1) to pay at the rate of one-and-a-quarter times his ordinary rate of pay.

(3) Where any workers are paid on a piece rate basis Our Government in consultation with the industry concerned may for the purposes of this Section fixed time rates as nearly as possible equivalent to the average rate of earnings of those workers and the rates so fixed shall be deemed to be the ordinary rates of pay of those workers for the purposes of this Section.

(4) Our Government may prescribe the registers that shall be maintained in a factory for the purpose of securing compliance with the provisions of this Section.

48. No adult worker shall be allowed to work in any factory on any day on which he has already been working in any other factory, save in such circumstances as may be prescribed.

Restriction on double emplyment.

49. Our Government may make rules providing that in any specified class or classes of factories work shall not be carried on by a system of shifts so arranged that more than one relay of workers is engaged in work of the same kind at the same time, save with the permission of Our Government and subject to such conditions as they may impose, either generally or in the case of any particular factory.

Control of overlaping shifts.

CHAPTER V.

Special Provisions for Adolscents and Children.

50. No child who has not completed his twelth year shall be allowed to work in any factory.

Prohibition of employment of young children.

51. No child who has completed his twelth year and no adolescent shall be allowed to work in any factory unless:—

Non-adult workers. to carry tokens giving reference to certificates of fitness.

(*a*) a certificate of fitness granted to him under Section 52 is in the custody of the manager of the factory ; and

(*b*) he carries while he is at work a token giving a reference to such certificate.

52. (1) A certifying surgeon shall, on the application of any young person who wishes to work in a factoy or of the parent or guardians of such person or of the manager of the factory in which such person wishes to work, examine such person and ascertain his fitness for such work.

Certificate of fitness.

(2) The certifying surgeon, after examination, may grant to such person, in the prescribed form :—

(*a*) a certificate of fitness to work in a factory as a child, if he is satisfied that such person has completed his twelth year, that he has attained the prescribed physical standards (if any), and that he is fit for such work ; or

(*b*) a certificate of fitness to work in a factory as an adult, if he is satisfied that such person has completed his fifteenth year and is fit for a full day's work in a factory.

(3) A certifying surgeon may revoke any certificate granted under sub-section (2) if, in his opinion, the holder of it is no longer fit to work in the capacity stated therein in a factory.

(4) Where a certifying surgeon or a practitioner authorised under sub-section (2) of Section 12 refuses to grant a certificate or a certificate of the kind requested, or revokes a certificate, he shall, if so requested by any person who could have applied for the certificate, state his reasons in writing for so doing.

Effect of certificate granted to adolescent.

53. (1) An adolescent who has been granted a certificate of fitness to work in a factory as an adult, under clause (b) of sub-section (2) of Section 52, and who, while at work in a factory, carries a token giving reference to the certificate shall be deemed to be an adult for all the purposes of Chapter IV.

(2) An adolescent who has not been granted a certificate of fitness to work in a factory as an adult, under sub-section (2) of Section 52, shall, notwithstandiag his age, be deemed to be a child for the purposes of this Regulation.

Restrictions on the working hours of a child.

54. (1) No child shall be allowed to wok in a factory for more than five hours in any day.

(2) The hours of work of a child shall be so arranged that thay shall not spread over more than seven and a half hours in any day.

(3) No child shall be allowed to work in a factory except between 6 A. M. and 6 P. M:

Provided that Our Government, may, by notification in Our Government Gazette in respect of any class or classes of factories and for the whole year or any part of it, vary these limits to any span of thirteen hours between 5 A. M. and 7·30 P. M.

(4) The provisions of Section 35 shall apply also to child workers, but no exemption from the provisions of that Section may be granted in respect of any child.

(5) No child shall be allowed to work in any factory on any day on which he has already been working in another factory.

Notice of periods for work for children.

55. (1) There shall be displayed and correctly maintained in every factory, in accordance with the provisions of sub-section (2) of Section 76, a Notice of Periods for Works for Children, showing clearly the periods within which children may be required to work.

(2) The periods shown in the Notice required by sub-section (1) shall be fixed beforehand in accordance with the method laid down for adults in Section 39 and shall be such that children working for those periods would not be working in contravention of Section 54.

(3) The provisions of Section 40 shall apply also to the Notice of Periods for Work for Children.

(4) Our Government may make rules prescribing forms for the Notice of Periods for Work for Children and the manner in which it shall be maintained.

Register of Child Workers.

56. (1) The manager of every factory in which children are employed shall maintain a Register of Child Workers showing—

(a) the name of each Child Worker in the factory;
(b) the nature of his work.
(c) the group, if any, in which he is included;
(d) where his group works on shifts the relay to which he is allotted;

(e) the number of his certificate of fitness granted under Section 52, and

(f) such other particulars as may be prescribed.

(2) Our Government may make rules prescribing the form of the Register of Child Workers, the manner in which it shall be maintained, and the period for which it shall be preserved.

Hours of work to correspond with Notice and Register.

57. No child shall be allowed to work otherwise than in accordance with the Notice of Periods for Work for Children displayed under sub-section (1) of Section 55 and the entries made beforehand against his name in the Register of Child Workers maintained under sub-section (1) of Section 56.

Power to require medical examination.

58. Where an Inspector is of opinion—

(a) that any person working in a factory without a certificate of fitness is a child or an adolescent, or

(b) that a child or adolescent working in a factory with a certificate is no longer fit to work in the capacity stated therein,

he may serve on the manager of the factory a notice requiring that such person, or that such child or adolescent, as the case may be, shall be examined by a certifying surgeon or by a practitioner authorised under sub-section (2) of Section 12 and such person, child or adolescent shall not, if the Inspector so directs, be allowed to work in any factory until he has been so examined and has been granted a certificate of fitness or a fresh certificate of fitness, as the case may be.

Power to make rules.

59. Our Government may make rules—

(a) prescribing the forms of certificates of fitness to be granted under Section 52, providing for the grant of duplicates in the event of loss of the original certificates, and fixing the fees which may be charged for such certificates and such duplicates;

(b) prescribing the physical standards to be attained by children and adolescents;

(c) regulating the procedure of certifying surgeons under this Chapter, and specifying other duties which they may be required to perform in connection with the employment of children and adolescents in factories; and

(d) providing for any other matter which may be expedient in order to give effect to the provisions of this Chapter.

CHAPTER VI.

Penalties and Procedure.

Penalty for contraventions of Regulation and rules.

60. If in any factory—

(a) there is any contravention—

(i) of any of the provisions of Sections 13 to 29 inclusive, or

(ii) of any order made under any of the said Sections, or
(iii) of any of the said Sections read with rules made in pursuance thereof under clause (*a*) of Section 32, or
(iv) of any rule made under any of the said Sections or under clause (*b*), clause (*c*), or clause (*g*) of Section 32 or Section 33, or
(v) of any condition imposed under sub-section 3 of Section 31; or
(*b*) any person is allowed to work in contravention —
(i) of any of the provisions of Sections 34 to 38 inclusive, 42, 45 and 48, or
(ii) of any rule made under any of the said Sections, or under Section 49, or
(iii) of any condition attached to any exemption granted under Section 43 or Section 44 or Section 45 or to any permission granted under Section 38 or Section 49; or
(*c*) there is any contravention of any of the provisions of Sections 39 to 41 inclusive or of any rule made under Section 39, Section 41 or Section 47, or of any condition attached to any exemption granted under Section 41 or to any modification or relaxation made under Section 44; or.
(*d*) any person is not paid any extra pay to which he is entitled under the provisions of Section 47; or
(*e*) any adolescent or child is allowed to work in contravention of any of the provisions of Sections 50, 51, 54, 55, 57 and 58; or
(*f*) there is any contravention of Section 55 or Section 56 or any rules made under either of these Sections, or under clause (*d*) of Section 59;

the manager and occupier of the factory shall each be punishable with fine which may extend to five hundred rupees :

Provided that if both the manager and the occupier are convicted, the aggregate of the fines inflicted in respect of the same contravention shall not exceed this amount.

Enhanced penalty in certain cases after previous conviction.

61. If any person who has been convicted of any offence punishable under clauses (*b*) to (*f*) inclusive of Section 60 is again guilty of an offence involving a contravention of the same provision he shall be punishable on the second conviction with fine which may extend to seven hundred and fifty rupees and not shall be less than one hundred rupees, and if he is again so guilty, shall be punishable on the third or any subsequent conviction with fine which may extend to one thousand rupees and shall not be less than two hundred and fifty rupees :

Provided that for the purposes of this Section no cognisance shall be taken of any conviction made more than two years before the commission of the offence which is being punished :

Provided further that the Court, if it is satisfied that there are exceptional circumstances warranting such a course, may, after recording its reasons in writing, impose a smaller fine than is required by this Section.

Penalty for failure to give notice of Commencement of work or of change of manager.

62. An occupier of a factory who fails to give any notice required by sub-section (1) or sub-section (2) of Section 9 shall be punishable with fine which may extend to five hundred rupees.

63. Whoever wilfully obstructs an Inspector in the exercise of any power under Section 11, or fails to produce on demand by an Inspector any registers or other documents in his custody, kept in pursuance of this Regulation or of any of the rules made thereunder, or conceals or prevents any worker in a factory from appearing before or being examined by an Inspector, shall be punishable with fine which may extend to fixe hundred rupees.

Penalty for obstructing Inspector.

64. A manager of a factory who fails to give notice of an accident as required under Section 30 shall be punishable with fine which may extend to five hundred rupees.

Penalty for failure to give notice of accidents.

65. If in respect of any factory any return is not furnished as required under Section 77, the manager and the occupier of the factory shall each be liable to fine which may extend to five hundred rupees

Penalty for failure to make returns.

Provided that if both the manager and the occupier are convicted, the aggregate of the fines inflicted shall not exceed this amount.

66. Whoever smokes, or uses a naked light or causes or permits any such light to be used in the vicinity of any inflammable material in a factory shall be punishable with fine which may extend to five hundred rupees.

Penalty for smoking or using naked light in vicinity of inflammable material.

Exception.—This provision does not extend to the use, in accordance with such precautions as may be prescribed, of a naked light in the course of a manufacturing process.

67. Whoever knowingly uses or attempts to use, as a certificate granted to himself under Section 52, a certificate granted to another person under that Section, or who, having procured such a certificate knowingly allows it to be used, or an attempt to use it to be made, by another person, shall be punishable with fine which may extend to twenty rupees.

Penalty for using false certificate.

68. If a child works in a factory on any day on which he has already been working in another factory, the parent or guardian of the child or the person having custody of or control over him, or obtaining any direct benefit from his wages, shall be punishable with fine which may extend to twenty rupees, unless it appears to the Court, that the child so worked without the consent, connivance or wilful default to such parent, guardian or person.

Penalty on guardian for permitting double employment of a child.

69. A manager of a factory who fails to display the notice required under sub-section (1) of Section 76 or by any rule made under this Regulation, or to display or maintain any such notice as required by sub-section (2) of that Section, shall be punishable with fine which may extent to five hundred rupees.

Penalty for failure to display certain notices

Determination of "occupier" for purposes of this Chapter.

70. (1) Where the occupier of a factory is a firm or other association of individuals, any one of the individual partners or members thereof may be prosecuted and punished under this Chapter for any offence for which the occupier of the factory is punishable:

Provided that the firm or association may give notice to the Inspector that it has nominated one of its number who is resident in Travancore to be the occupier of the factory for the purposes of this Chapter, and such individual shall so long as he is so resident be deemed to be the occupier for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be a partner or member of the firm or association.

(2) Where the occupier of a factory is a company, any one of the directors thereof, or. in the case of a private company, any one of the shareholders thereof, may be prosecuted and punished under this Chapter for any offence for which the occupier of the factory is punishable:

Provided that the company may give notice to the Inspector that it has nominated a director, or. in the case of a private company, a shareholder, who is resident in either case in Travancore to be the occupier of the factory for the purposes of this Chapter, and such director or shareholder shall so long as he is so resident be deemed to be the occupier of the factory for the purposes of this Chapter until further notice cancelling his nomination is received by the Inspector or until he ceases to be director or shareholder.

Exemption of occupier or manager from liability in certain cases.

71. (1) Where the occupier or manager of a factory is charged with an offence against this Regulation, he shall be entitled upon complaint duly made by him to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge; and if after the commission of the offence has been proved the occupier or manager of the factory proves to the satisfaction of the Court.

(a) that he has used due diligence to enforce the execution of this Regulation, and

(b) that the said other person committed the offence in question without his knowledge, consent or connivance,

that other person shall be convicted of the offence and shall be liable to the like fine as if he were the occupier or manager, and the occupier or manager shall be discharged from any liability under this Regulation.

(2) When it is made to appear to the satisfaction of the Inspector at any time prior to the institution of the proceedings—

(a) that the occupier or manager of the factory has used all due diligence to enforce the execution of this Regulation, and

(b) by what person the offence has been committed, and

(c) that it has been committed without the knowledge, consent or connivance of the occupier or manager, and in contravention of his orders,

the Inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier or manager of the factory, and such person shall be liable to the like fine as if he were the occupier or manager.

72. If a child over the age of six years is found inside any part of a factory in which children are working, he shall until the contrary is proved, be deemed to be working in the factory.

Presumption as to employment.

73. (1) When an act or omission would, if a person were under or over a certain age, be an offence punishable under this Regulation, and such person is in the opinion of the Court apparently under or over such age, the burden shall be on the accused to prove that such person is not under or over such age.

Evidence as to age.

(2) A declaration in writing by a certifying surgeon relating to a worker that he has personally examined him and believes him to be under or over the age set forth in such declaration shall, for the purposes of this Regulation, be admissible as evidence of the age of that worker.

74. (1) No prosecution under this Regulation, except a prosecution under Section 66 shall be instituted except by or with the previous sanction of the Inspector.

Cognisance of offences.

(2) No Court inferior to that of a Magistrate of the First Class shall try any offence against this Regulation or any rule or order made thereunder other than an offence under Section 66 or Section 67.

75. No court shall take cognisance of any offence under this Regulation or any rule or order thereunder, other than an offence under Section 62 or Section 64, unless complaint thereof is made within six months of, the date on which the offence is alleged to have been committed:

Limitation of prosecutions.

Provided that when the offence consists of disobeying a written order made by an Inspector, complaint thereof may be made within twelve months of the date on which the offence is alleged to have been committed.

CHAPTER VII.

Supplemental.

76. (1) In addition to the notices required to be displayed in any factory by this Regulation or the rules made thereunder, there shall be displayed in every factory a notice containing such abstracts of this Regulation and of the rules made thereunder, in English and in the Vernacular of the majority of the workers, as Our Government may prescribe.

Display of factory notices.

2 All notices required to be displayed in a factory shall be displayed at some conspicuous place at or near the main entrance to the factory, and shall be maintained in a clean and legible condition.

77. Our Government may make rules requiring occupiers or managers of factories to submit such returns, occasional or periodical as may in their opinion be required for the purposes of this Regulation.

Power of Government to make rules.

78. (1) All rules made under this Regulation shall be subject to the condition of previous publication, and the date to be specified under clause (e) of Section 6 of the Travancore General Clauses Regulation of 1072, shall not be less than three months from the date on which the draft of the proposed rules was published.

Publication of rules.

2. All such rules shall be published in Our Government Gazette, and shall, unless some later date is appointed, come into force on the date of such publication.

Application to factories.

79. This Regulation shall apply to factories belonging to Our Government.

Protection to persons acting under this Regulation.

80. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Regulation.

Repeal and savings.

81. The Travancore Factories Regulation V of 1089, is hereby repealed:

Provided that anything done under the said Regulation which could have been done under this Regulation if it had then been in force shall be deemed to have been done under this Regulation.

Office of the Secretary to the
Sri Chitra State Council,
Trivandrum, 19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

Appendix III.

THE TRAVANCORE IRRIGATION REGULATION (Amendment) BILL.

(As passed by the Sri Chitra State Council.)

Whereas it is expedient to amend the Irrigation Regulation of 1072, (Regulation III of 1072 as amended by Regulations VI of 1090, V of 1097 and II of 1103) for the purposes hereinafter appearing; It is hereby enacted as follows :

Short title and commencement.

1. (*a*) This Regulation may be called the Travancore Irrigation (Amendment) Regulation, 1114.

(*b*) It shall come into force at once.

Amendment of Seotoin 2.

2. In Section 2 of the Irrigation Regulation of 1072, (Registration III of 1072 as amended by Regulations VI of 1090, V of 1097 and II of 1103), hereinafter referred to as the said Regulation.

(*a*) Clause (3), and

(*b*) the words "and Petty" in clause (4) shall be omitted

Ommissions of Sections 4, 5 and 6.

3. Sections 4, 5 and 6 of the said Regulaiion shall be omitted.

Amendment of Section 11 A.

4. In Section 11 A of the said Regulation.

(*a*) the words "Petty or" occurring before the word "Minor," and

(*b*) the figure and word "6 and" occurring after the word "Section," shall be omitted.

Amendment of Section 13.

5. (*a*) Section 13 of the said Regulation shall be remembered as sub-section (1) of Section 13; and

(*b*) the following shall be added as sub-section (2) of Section 13, namely :—

When Government may levy a cess.

"(2) Notwithstanding anything contained in sub-section (1), Our Government may subject to such rules, if any as they may make, undertake the maintenance of any such irrigation work as it is the duty of the proprietors to maintain under sub-section (1) and levy a cess, towards the cost of such maintenance, of an amount not exceeding four chuckrams per acre of the lands benefited, and wherever Our Government so undertake to maintain any work it shall not be the duty of the proprietors to maintain that work.

Explanation—Our Government may at any time relinquish the work of maintenance which they have undertaken and in such cases no cess shall be leviable, and it shall be the duty of the proprietors to maintain the work"

Amendment of Section 16.

6. In Section 16 of the said Regulation.

(*a*) the figure "6" occurring after the word "Sections" in paragraph 1, and

(*b*) the words "Petty or" in paragraph 2, shall be omitted.

Amendment of Section 18.

7. In Section 18 of the said Regulation, the following Explanation shall be added, namely :—

"*Explanation.* A cess under this Section and sub-section (2) of Section 13 shall not be leviable at the same time."

Substitution of new section for Section 23.

8. For Section 23 of the said Regulation, the following shall be substituted namely:—

"23. (1) Whenever, by local custom or for other good reason, any work for purposes of agriculture should be done by the joint labour or cost of the proprietors of all the lands benefited by such work, if any, of such proprietors fails or neglects to do his share of the work or contribute his share of the cost or labour, it shall be lawful for the Division Peishkar, or any officer specially authorised by Our Government in this behalf, on the application of a reasonable number of proprietors interested in such work or injured by such failure or neglect, to investigate the matter and pass such order as he deems fit, and he may by such order also direct the defaulting proprietor to execute any portion of the work or pay any portion of the cost of the work. If the order directs that the defaulting proprietor shall execute a portion of the work, it shall distinctly specify the portion of the work to be executed, the time within which it should be done and the estimate cost of such work. On the defaulting proprietor refusing or failing to execute the work within the time prescribed in the order, the cost of the work may be recovered from such defaulter as arrears of land revenue and the work executed under the orders of the Division Peishkar or such officer as aforesaid.

(2) Notwithstanding anything contained in sub-section (1) it shall also be lawful for any of the proprietors to do the work, or to contribute the cost or labour, which the defaulting proprietor or proprietors should have done or contributed, and, in case he has so done or contributed after giving notice to the defaulting proprietor or proprietors, he may apply to the Division Peishkar, or any officer specially authorised by Our Government in this behalf, to order the defaulting proprietor or proprietors to compensate him for the reasonable cost or labour incurred by him. The Division Peishkar, or such other officer, may thereupon give notice to the defaulting proprietor or proprietors, hear him if he appears and make such other investigations as he thinks necessary and order the defaulting proprietor or proprietors to pay a sum of money as would be, in the opinion of the Division Peishkar, or such other officer, sufficient compensation for such reasonable cost or labour.

(3) (*a*) Any aggrieved party may appeal to the Land Revenue Commissioner against any order passed by the Division Peishkar or other officer under sub-section (1) or sub-section (2), provided that such appeal is preferred within such time as may be prescribed by Our Government, and the Land Revenue Commissioner may thereupon pass such orders as he thinks are just and reasonable after giving notice to the opposite party and hearing him if he appears.

(*b*) It shall be lawful for Our Government to revise any order of the Division Peishkar or other officer or of the Land Revenue Commissioner made under this Section and pass such orders as are in their opinion just and reasonable.

(4) Any sum of money ordered to be paid under the provisions of this Section may also be recovered from the defaulting proprietor as arrears of land revenue and the amount so recovered paid to the party entitled to it.

Illustration.—The putting up of ring bunds or draining of water in *punja padams* in Kuttanad are works contemplated in this Section."

Insertion of new Section 26 A.

9. After Section 26 of the said Regulation, the following Section shall be inserted, namely:—

"26 A (1) Any Irrigation Officer, and any person acting under his special orders in this behalf, may, within such distance from any irrigation work as Our Government may, by rule, prescribe, enter upon any land for the purpose of:—

Power to enter for depositing or obtaining materials.

(a) depositing upon it soil or other things taken from such work or material required for use on such work; or

(b) obtaining from it earth, stone or other material for repairing or altering such work.

(2) If any Irrigation Officer or other person, in the exercise of powers conferred by sub-section (1), proposes to enter, otherwise than with the consent of the occupier, on any land or into any building or enclosed court or garden attached to a dwelling house into which the water does not flow from any irrigation work, he shall previously give the occupier of such land, building, court or garden reasonable notice in writing of his intention to do so:

Provided that no such notice shall be necessary for entry on land in an emergency."

(3) (a) In every case of entry under this Section, the person making such entry shall ascertain and record the extent of the damage, if any, caused by the entry or by anything done under this Section, and within one month from the date of such entry compensation shall be tendered by such person to the owner of the property damaged. In case of disputes as to the extent of the damage or the sufficiency of the amount tendered, he shall forthwith refer the dispute to the Division Peishkar of the Division.

Compensation to owner of property damaged by entry.

(b) The Division Peishkar shall make enquiry as to the matters in dispute and decide the amount of the compensation.

(c) Against the decision of the Division Peishkar an appeal shall, subject to such rules as may be prescribed by Our Government, lie to the Land Revenue Commissioner whose decision shall be final.

Insertion of new Sections 28 A and 28 B.

10. After Section 28 of the said Regulation, the following Sections shall be inserted namely:—

"28. A. When any person is convicted of an offence under Section 28, the convicting Magistrate may order that the said person shall remove the obstruction or repair the damage or replace or repair the level mark or water-gauge in respect of which conviction has taken place within a period to be fixed in such order. If such person neglects or refuses to obey such order within the period so fixed, any Irrigation Officer may carry out the work in accordance with such order and the cost thereof shall be recoverable from such person as arrears of land revenue.

Persons convicted under Section 28 liable to repair the damage etc.

28 B. When the person causing any damage, alteration, enlargement or obstruction to any irrigation work without proper authority cannot, after such enquiry as the Division Peishkar may deem sufficient, be ascertained or identified, the Division Peishkar may, after giving not less than one month's notice to the occupiers of all lands benefited thereby, and after hearing their representations, if any, recover from them, as arrears of land revenue, the

Recovery of cost of repairing damage when the offender is unascertainable.

cost of repairing such damage, or removing such alteration, enlargement or obstruction, in such proportion as he thinks fit."

Amendment of Section 30.

11. In Section 30 of the said Regulation.

(a) the words "Petty and" occurring in clause (4) shall be omitted, and

(b) after clause (4), as so amended, the following clause shall be inserted namely :—

"(5) the conferment by Our Government on Irrigation Officers of any or all of the powers of the Division Peishkar under the Land Acquisition Regulation (Regulation XI of 1089 as amended by Regulations V of 1096 and I of 1099) and the Land Conservancy Regulation of 1091 (Regulation IV of 1091 as amended by Regulation V of 1105) either generally or for special areas or for special purposes."

Office of the Secretary to the
Sri Chitra State Council,
Trivandrum, 19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

Appendix IV.

THE TRAVANCORE CRIMINAL LAW AMENDMENT BILL.
(As passed by the Sri Chitra State Council)

A Regulation to amend the Travancore Penal Code and the Code of Criminal Procedure for certain purposes.

Preamble.

Whereas it is expedient to amend the Travancore Penal Code, (Regulation I of 1074, as amended by Regulations I of 1089, IV of 1094, IX of 1097, III of 1107 and I of 1110) and the Code of Criminal Procedure (Regulation V of 1067, as amended by Regulations II of 1074, III of 1074, IV of 1082, VII of 1085, VII of 1088, II of 1090, IV of 1094, III of 1095, VI of 1097, IX of 1097, XII of 1097, and III of 1107) for the purposes hereinafter appearing:—

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Regulation may be called the Travancore Criminal Law Amendment Regulation, 1114; and

(2) It shall come into force at once.

Amendment of Section 117, Travancore Penal Code.

2. In Section 117 of the Travancore Penal Code,

(i) in the first paragraph, after the expression "British India," the following words shall be inserted, namely:—

"or any Indian Prince recognised for the purpose of this Section by a notification by Our Government in Our Government Gazette or the Government of any such Indian Prince";

(ii) in Explaration II, after the expression "British India," the following words shall be inserted, namely:—

"or of any Indian Prince recognised as aforesaid, or of the Government of any such Indian Prince," and

(iii) in Explanation III, after the expression "British India," the following words shall be inserted, namely:—

"or of any Indian Prince recognised as aforesaid, or of the Government of any such Indian Prince".

Insertion of a new Section after Section 294 of the Travancore Penal Code.

3. After Section 294 of the Travancore Penal Code, the following Section shall be inserted, namely:—

Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious belief.

"294 A. Whoever, with the deliberate and malicious intention of outraging the religious feelings of any class of Our Subjects, by words, either spoken or written, or by visible representation, insults, or attempts to insult, the religion or religious belief of that class, shall be punished with imprisonment of either description for any term which may extend to two years or with fine or with both.

Amendment of Section 174 and II Schedule of the Code of Criminal Procedure.

4. In the Code of Criminal Procedure,

(1) in Section 174, after the figures "293," a comma followed by the figures and letter "294 A" shall be inserted ;

(2) in the Second Schedule after the entry relating to Section 294 of the Travancore Penal Code the following entry shall be inserted, namely :-

294—A	Maliciously insulting the religion or the religious belief of any class	Shall not arrest without warrant.	Warrant.	Not bailable.	Not compoundable.	Imprisonment of either description for two years or fine or both.	Court of Sessions or Magistrate of the First Class.

and (3) in the same schedule, for the entries in the third, fourth, fifth and eighth columns relating to Section 295 of the Travancore Penal Code, the following entries shall be substituted respectively, namely :—

May arrest without warrant	Summons.	Bailable.	Magistrate of the First Class.

Trivandrum,
19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

Appendix (6)

THE TRAVANCORE COMPANIES BILL,

(*As passed by the Sri Chitra State Council.*)

A BILL TO CONSOLIDATE AND AMEND THE LAW RELATING TO COMPANIES.

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THE TRAVANCORE COMPANIES BILL.

(As passed by the Sri Chitra State Council.)

A BILL TO CONSOLIDATE AND AMEND THE LAW RELATING TO COMPANIES,

Preamble.

Whereas it is expedient to consolidate and amend the law relating to Trading Companies and other Associations; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title, commencement and extent.

1. (1) This Regulation may be called The Travancore Companies Regulation, 11—"

(2) It shall come into force on such date as Our Government may by notification in Our Government Gazette appoint in that behalf.

(3) It extends to the whole of Travancore.

Definitions.

2. (1) In this Regulation, unless there is anything repugnant in the subject or context,—

(i) 'Articles' means, the articles of association of a company as originally framed or as altered by special resolution including so far as they apply to the company to the regulations contained, (as the case may be) in Table A in the First Schedule annexed to the Travancore Companies Regulation I of 1063 or in Table A in the First Schedule annexed to the Travancore Companies Regulation I of 1092 or in Table A in the First Schedule annexed to this Regulation;

(ii) 'Company' means a company formed and registered under this Regulation or an existing company;

(iii) 'Debenture' includes debenture stock;

(iv) 'Director' includes any person occupying the position of a director by whatever name called;

(v) 'District Court' means the principal civil court of original jurisdiction in a district;

(vi) 'Existing company' means a company formed and registered under the Travancore Companies Regulation, I of 1063, or under the Travancore Companies Regulation, I of 1092;

(vii) 'Insurance company' means a company that carries on the business of insurance either solely or in common with any other business or businesses;

(viii) 'Manager' means a person who, subject to the control and direction of the directors, has the management of the whole affairs of a company, and includes a director or any other person occupying the position of a manager by whatever name called and whether under a contract of service or not;

(ix) 'Managing Agent' means a person, firm or company entitled to the management of the whole affairs of a company by virtue of an agreement with the company, and under the control and direction of the directors except to the extent, if any, otherwise provided for in the agreement, and includes any person, firm or company occupying such position by whatever name called:

Explanation: If a person occupying the position of a managing agent calls himself a manager he shall nevertheless be regarded as managing agent and not as manager for the purposes of this Regulation;

(x) 'Memorandum' means the memorandum of association of a company as originally framed or as altered in pursuance of the provisions of this Regulation;

(xi) 'Officer', includes any director, manager, managing agent or secretary but, save in Sections 291, 292 and 293, does not include an auditor;

(xii) 'Prescribed' means, as respects the provisions of this Regulation relating to the winding up of companies, prescribed by Rules made by Our High Court, and as respects the other provisions of this Regulation, prescribed by Our Government;

(xiii) 'Private Company' means a company which by its articles--

(*a*) restricts the right to transfer the shares, if any;

(*b*) limits the number of its members to fifty not including persons who are in the employment of the company; **and**

(*c*) prohibits any invitation to the public to subscribe for the shares, if any, or debentures of the company:

Provided that where two or more persons hold one or more shares in a company jointly they shall, for the purposes of this definition, be treated as a single member;

(xiv) 'Public Company' means a company incorporated under this Regulation or under the Travancore Companies Regulation, I of 1092 or under the Travancore Companies Regulation, I of 1063, which is not a private Company;

(xv) 'Prospectus' means any prospectus, notice, circular, advertisement or other invitation, offering to the public for subscription or purchase any shares or debentures of a company, but shall not include any trade advertisement which shows on the face of it that a formal prospectus has been prepared and filed;

(xvi) 'The Registrar' means the officer performing under this Regulation the duty of registration of companies; and

(xvii) 'Share' means share in the share capital of the company, and includes stock except when a distinction between stock and shares is expressed or implied.

(2) where the assets of a company consist in whole or in part of shares in another company, whether held directly or through a nominee and whether that other company is a company within the meaning of his Regulation or not, and

(*a*) the amount of the shares so held is at the time when the accounts of the holding company are made up more than fifty per cent. of the issued share capital of that other company or such as to entitle the company to more than fifty per cent. of the voting power in that other company, or

(*b*) the company has power (not being power vested in it by virtue only of the provisions of a debenture trust deed or by virtue of shares issued to it for the purpose in pursuance of those provisions directly or indirectly to appoint the majority of the directors of that other company,

that other company shall be deemed to be a subsidiary company within the meaning of this Regulation, and the expression 'subsidiary company' in this Regulation means a company in the case of which the conditions of this sub-section are satisfied and includes a subsidiary company of such company :

Provided that where a company the ordinary business of which includes the lending of money holds shares in another company as security only, no account shall, for the purpose of determining under this section whether that other company is a subsidiary company, be taken of the shares so held.

Jurisdiction of the Courts

3. (1) The Court having jurisdiction under this Regulation shall be the District Court having jurisdiction in the place at which the registered office of the company is situate.

(2) For the purposes of jurisdiction to wind up companies the expression 'Registered office' means the place which has longest been the registered office of the company during the six months immediately preceding the presentation of the petition for winding up.

(3) Nothing in this Section shall invalidate a proceeding by reason of its being taken in a wrong Court.

PART II.

Constitution and Incorporation.

Prohibition of partnerships exceeding certain number.

4. (1) No company, association or partnership, consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking unless it is registered as a company under this Regulation.

(2) No company, association or partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the company, association or partnership, or by the individual members thereof, unless it is registered as a company under this Regulation.

(3) This section shall not apply to a joint family carrying on oint family trade or business; and where two or more such joint families form a partnership, in computing the number of persons for the purposes of this section, minor members of such families shall be excluded.

(4) Every member of a company, association or partnership carrying on business in contravention of this section shall be personally liable for all liabilities incurred in such business.

(5) Any person who is a member of a company, association or partnership formed in contravention of this section shall be punishable with fine not exceeding one thousand rupees.

Memorandum of Association.

Mode of forming incorporated company.

5. Any seven or more persons (or, where the company to be formed will be a private company, any two or more persons) associated for any lawful purpose may by subscribing their names to a memorandum of association and otherwise complying with the requirements of this Regulation in respect of registration, form an incorporated company, with or without limited liability (that is to say), either—

(i) a company having the liability of its members limited by the memorandum to the amount, if any, unpaid on the shares respectively held by them (in this Regulation termed a company limited by shares); or

(ii) a company having the liability of its members limited by the memorandum to such amount as the members may respectively thereby undertake to contribute to the assets of the company in the event of its being wound up (in this Regulation termed a company limited by guarantee); or

(iii) a company not having any limit on the liability of its members (in this Regulation termed an unlimited company).

Memorandum of company limited by shares.

6. In the case of a company limited by shares—

(1) the memorandum shall state—

(i) the name of the company, with "Limited" as the last word in its name;

(ii) the taluk in which the registered office of the company is to be situate;

(iii) the objects of the company;

(iv) that the liability of the members is limited; and

(v) the amount of share capital with which the company proposes to be registered, and the division thereof into shares of a fixed amount;

(2) no subscriber of the memorandum shall take less than one share; and

(3) each subscriber shall write opposite to his name the number of shares he takes.

Memorandum of company limited by guarantee.

7. In the case of a company limited by guarantee—

(1) the memorandum shall state—

(i) the name of the company, with "Limited" as the last word in its name;

(ii) the taluk in which the registered office of the company is to be situate;

(iii) the objects of the company;

(iv) that the liability of the members is limited; and

(v) that each member undertakes to contribute to the assets of the company, in the event of its being wound up while he is a member or within one year afterwards, for payment of the debts and liabilities of the company contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for adjustment of the rights of the contributories among themselves, such amount as may be required, not exceeding a specified amount; and

(2) if the company has a share capital—

(i) the memorandum shall also state the amount of share capital with which the company proposes to be registered and the division thereof into shares of a fixed amount;

(ii) no subscriber of the memorandum shall take less than one share; and

(iii) each subscriber shall write opposite to his name the number of shares he takes.

8. In the case of an unlimited company—

Memorandum of unlimited company.

(1) the memorandum shall state—

(i) the name of the company;

(ii) the taluk in which the registered office of the company is to be situate: and

(iii) the objects of the company; and

(2) if the company has a share capital—

(i) no subscriber of the memorandum shall take less than one share; and

(ii) each subscriber shall write opposite to his name the number of shares he takes.

9. The memorandum shall—

Printing and signature of memorandum.

(*a*) be printed,

(*b*) be divided into paragraphs numbered consecutively, and

(*c*) be signed by each subscriber (who shall add his address and description) in the presence of at least one witness who shall attest the signature.

10. A company shall not alter the conditions contained in its memorandum except in the cases and in the mode and to the extent for which express provision is made in this Regulation:

Restriction on alteration of memorandum.

Provided that any provision in the memorandum relating to the appointment of a manager or managing agent and other matters of a like nature incidental or subsidiary to the main objects of the company, shall not be deemed to be such condition.

11. (1) A company shall not be registered by a name identical with that by which a company in existence is already registered, or so nearly resembling that name as to be calculated to deceive except where the company in existence is in the course of being dissolved and signifies its consent in such manner as the Registrar requires.

Name of company and change of name.

(2) If a company, through inadvertence or otherwise, is, without such consent as aforesaid, registered by a name identical with that by which a company in existence is previously registered, or so nearly resembling it as to be calculated to deceive, the first mentioned company may, with the sanction of the Registrar, change its name.

(3) Except with the previous consent in writing of Our Government no company shall be registered by a name which,

(a) contains any of the following words, namely:— "Maharaja", "Maha Rani", "Rani", "Princess", "Royal", "Crown" "Emperor", "Empire", "Empress", "Imperial", "King", "Queen" "Government", "State" or any word which suggests or is calculated, to suggest any sanction, approval, patronage of, or connection with Our Government or any member of the Royal Family or with His Majesty the King Emperor or His Majesty's Government or the Central Government of India or a Provincial Government in India or any department of any of the Governments aforesaid, or

(b) contains the word "Municipal" or any word which suggests or is calculated to suggest connection with any municipality or other local authority or with any society or body recognised for this purpose by Our Government by notification in Our Government Gazette:

Provided that nothing in this sub-section shall apply to companies registered before the commencement of this Regulation.

(4) Any company may, by special resolution and subject to the approval of Our Government signified in writing, change its name.

(5) Where a company changes its name, the Registrar shall enter the new name on the register in place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case. On the issue of such a certificate the change of name shall be complete.

(6) The change of name shall not affect any rights or obligations of the company, or render defective any legal proceedings by or against the company and any legal proceedings that might have been continued or commenced against it by its former name may be continued or commenced against it by its new name.

12. (1) Subject to the provisions of this Regulation a company may, by special resolution, alter the provisions of its memorandum so as to change the place of the registered office from one taluk to another or with respect to the objects of the company, so far as may be required to enable it—

Alteration of memorandum.

(a) to carry on its business more economically or more efficiently; or

(b) to attain its main purpose by new or improved means; or

(c) to enlarge or change the local area of its operation; or

(d) to carry on some business which under existing circumstances may conveniently or advantageously be combined with the business of the company; or

(e) to restrict or abandon any of the objects specified in the memorandum; or

(f) to sell or dispose of the whole or any part of the undertaking of the company; or

(g) to amalgamate with any other company or body of persons.

(2) The alteration shall not take effect until and except in so far as it is confirmed by the Court on petition.

(3) Before confirming the alteration, the Court must be satisfied—

(a) that sufficient notice has been given to every holder of debentures of the company, and to any persons or class of persons whose interests will, in the opinion of the Court, be affected by the alteration; and

(b) that, with respect to every creditor who in the opinion of the Court is entitled to object, and who signifies his objection in manner directed by the Court, either his consent to the alteration has been obtained or his debt or claim has been discharged or has determined, or has been secured to the satisfaction of the Court

Provided that the Court may in the case of any person or class, for special reasons, dispense with the notice required by this section.

Power of Court when confirming alteration.

13. The Court may make an order confirming the alteration either wholly or in part, and on such terms and conditions as it thinks fit, and may make such order as to costs as it thinks proper.

Exercise of discretion by Court.

14. The Court shall, in exercising its discretion under Sections 12 and 13, have regard to the rights and interests of the members of the company or of any class of them as well as to the rights and interests of the creditors and may, if it thinks fit, adjourn the proceedings in order that an arrangement may be made to the satisfaction of the Court for the purchase of the interests of dissentient members; and may give such directions and make such orders as it may think expedient for facilitating or carrying into effect any such arrangement:

Provided that no part of the capital of the company may be expended in any such purchase.

15. (1) A certified copy of the order confirming the alteration, together with a printed copy of the memorandum as altered, shall, within three months from the date of the order, be filed by the company with the Registrar, and he shall register the same, and shall certify the registration under his hand and the certificate shall be conclusive evidence that all the requirements of this Regulation with respect to the alteration and the confirmation thereof have been complied with, and thenceforth the memorandum so altered shall be the memorandum of the company.

Procedure on confirmation of the alteration.

(2) The Court may, by order at any time, extend the time for the filing of documents with the Registrar under this section for such period as the Court thinks proper.

16. No such alteration shall have any operation until registration thereof has been duly effected in accordance with the provisions of Section 15, and if such registration is not effected within three months next after the date of the order of the Court confirming the alteration, or within such further time as may be allowed by the Court in accordance with the provisions of Section 15, such alteration and order and all proceedings connected therewith shall, at the expiration of such period of three months or such further time, as the case may be, become absolutely null and void:

Effect of failure to register within three months.

Provided that the Court may, on sufficient cause shown, revive the order on application made within a further period of one month.

Articles of Association.

17. (1) There may, in the case of a company limited by shares, and there shall, in the case of a company limited by guarantee or unlimited, be registered with the memorandum, articles of association signed by the subscribers to the memorandum and prescribing regulations for the company.

Registration of articles.

(2) Articles of association may adopt all or any of the regulations contained in Table A in the First Schedule, and shall in any event be deemed to contain regulations identical with or to the same effect as regulation 47, regulation 57, regulation 67, regulation 72, regulations 79, 80, 81, 82 and 83, regulation 96, regulation 98, regulation 106, regulation 108 and regulations 113, 114, 115, 116 and 117 contained in that Table:

Provided that regulations 79, 80, 81, 82 and 83 shall not be deemed to be included in the articles of any private company except a private company which is the subsidiary company of a public company:

Provided further that regulation 108 shall be deemed to require that a statement of the reasons why of the whole amount of any item of expenditure which may in fairness be distributed over several years, only a portion thereof is charged against the income of the year, shall be shown in the profit and loss account, unless the company in general meeting shall determine otherwise.

(3) In the case of an unlimited company or a company limited by guarantee, the articles, if the company has a share capital, shall state the amount of share capital with which the company proposes to be registered.

(4) In the case of an unlimited company or a company limited by guarantee, if the company has not a share capital, the articles shall state the number of members with which the company proposes to be registered, for the purpose of enabling the Registrar to determine the fees payable on registration.

Application of Table A.

18. In the case of a company limited by shares and registered after the commencement of this Regulation, if articles are not registered, or, if articles are registered, in so far as the articles do not exclude or modify the regulations in Table A in the First Schedule, these regulations shall, so far as applicable, be the regulations of the company in the same manner and to the same extent as if they were contained in duly registered articles.

Form and signature of articles.

19. Articles shall—

(a) be printed;

(b) be divided into paragraphs numbered consecutively; and

(c) be signed by each subscriber of the memorandum of association (who shall add his address and description) in the presence of at least one witness who must attest the signature.

Alteration of articles by special resolution.

20. Subject to the provisions of this Regulation and to the conditions contained in its memorandum a company may by special resolution alter or add to its articles and any alteration or addition so made shall be as valid as if originally contained in the articles, and be subject in like manner to alteration by special resolution.

Effect of alteration in memorandum or articles.

21. Notwithstanding anything in the memorandum or articles of a company no member of the company shall be bound by an alteration made in the memorandum or articles after the date on which he became a member if and so far as the alteration requires him to take or subscribe for more shares than the number held by him at the date on which the alteration is made, or in any way increases his liability as at that date to contribute to the share capital of, or otherwise to pay money to the Company:

Provided that this section shall not apply in any case where the member agrees in writing either before or after the alteration is made to be bound thereby.

General Provisions.

Effect of memorandum and articles.

22. (1) The memorandum and articles shall, when registered, bind the company and the members thereof to the same extent as if they respectively had been signed by each member and contained a covenant on the part of each member, his heirs and legal representatives, to observe all the provisions of the memorandum and of the articles, subject to the provisions of the Regulation.

(2) All money payable by any member to the company under the memorandum or articles shall be a debt due from him to the company.

Registration of memorandum and articles.

23. The memorandum and the articles (if any) shall be filed with the Registrar, and he shall retain and register them.

Effect of registration.

24. (1) On the registration of the memorandum of a company, the Registrar shall certify under his hand that the company is incorporated, and, in the case of a limited company, that the company is limited.

(2) From the date of incorporation mentioned in the certificate of incorporation, the subscribers of the memorandum, together with such other persons as may from time to time become members of the company, shall be a body corporate by the name contained in the memorandum, capable forthwith of exercising all the functions of an incorporated company, and having perpetual succession and a common seal, but with such liability on the part of the members to contribute to the assets of the company in the event of its being wound up as is mentioned in this Regulation.

Conclusiveness of certificate of incorporation.

25. (1) A certificate of incorporation given by the Registrar in respect of any association shall be conclusive evidence that all the requirements of this Regulation in respect of registration and of matters precedent and incidental thereto have been complied with, and that the association is a company authorised to be registered and duly registered under this Regulation.

(2) A declaration by an advocate entitled to appear before Our High Court who is engaged in the formation of a company, or by a person named in the articles as a director, manager or secretary of the company, of compliance with all or any of the said requirements shall be filed with the Registrar, and the Registrar may accept such a declaration as sufficient evidence of compliance.

26. (1) Every company shall send to every member, at his request and within fourteen days thereof, on payment of one rupee or such less sum as the company may prescribe a copy of the memorandum and of the articles (if any).

Copies of memorandum and articles to be given to members.

(2) If a company makes default in complying with the requirements of this section, it shall be liable for each offence to a fine not exceeding ten rupees.

27. (1) Where an alteration is made in the memorandum or articles of a company, every copy of the memorandum or articles issued after the date of the alteration shall be in accordance with the alteration.

Alteration of memorandum or articles to be noted in every copy.

(2) If, where any such alteration has been made, the company at any time after the date of the alteration issues any copies of the memorandum or articles which are not in accordance with the alteration, it shall be liable to a fine not exceeding ten rupees for each copy so issued and every officer of the company who is knowingly and wilfully in default shall be liable to the like penalty.

Association not for Profit.

28. (1) Where it is proved to the satisfaction of Our Government that an association capable of being formed as a limited company has been or is about to be formed for promoting commerce, art, science, religion, charity or any other useful object, and applies or intends to apply its profits (if any) or other income in promoting its object, and to prohibit the payment of any dividend to its members, Our Government may, by licence under the hand of the Chief Secretary to Our Government, direct that the association be registered as a company with limited liability without the addition of the word "Limited" to its name, and the association may be registered accordingly.

Power to dispense with "Limited" in name of charitable and other companies.

(2) A licence by Our Government under this section may be granted on such conditions and subject to such rules as Our Government thinks fit and those conditions and rules shall be binding on the association, and shall, if Our Government so direct, be inserted in the memorandum and articles, or in one of those documents.

(3) The Association shall on registration enjoy all the privileges of limited companies, and be subject to all their obligations except those of using the word "Limited" as any part of its name, and of publishing its name, and of sending lists of members to the Registrar.

(4) A licence under the section may at any time be revoked by Our Government, and upon revocation the Registrar shall enter the word "Limited" at the end of the name of the association upon the register, and the association shall cease to enjoy the exemptions and privileges granted by this section:

Provided that, before a licence is so revoked, Our Government shall give to the association notice in writing of its intention, and shall afford the association an opportunity of submitting a representation in opposition to the revocation.

Companies limited by Guarantee.

Provision as to companies limited by guarantee.

29. (1) In the case of a company limited by guarantee and not having a share capital and registered after the commencement of this Regulation, every provision in the memorandum or articles or in any resolution of the company purporting to give any person a right to participate in the divisible profits of the company otherwise than as a member shall be void.

(2) For the purpose of the provisions of this Regulation relating to the memorandum of a company limited by guarantee and of this section, every provision in the memorandum or articles, or in any resolution of any company limited by guarantee and registered after the commencement of this Regulation, purporting to divide the undertaking of the company into shares or interests, shall be treated as a provision for a share capital, notwithstanding that the nominal amount or number of the shares or interests is not specified thereby.

PART III.

SHARE CAPITAL, REGISTRATION OF UNLIMITED COMPANY AS LIMITED, AND UNLIMITED LIABILITY OF DIRECTORS.

Distribution of share capital.

Nature of shares.

30. (1) The shares or other interest of any member in a company shall be movable property, transferable in manner provided by the articles of the company.

(2) Each share in a company having a share capital shall be distinguished by its appropriate number.

Certificate of shares or stock.

31. A certificate, under the common seal of the company specifying any shares or stock held by any member, shall be *prima facie* evidence of the title of the member to the shares or stock therein specified,

32. (1) The subscribers of the memorandum of a company shall be deemed to have agreed to become members of the company and on its registration shall be entered as members in its register of members.

Definition of "mémber".

(2) Every other person who agrees to become a member of a company, and whose name is entered in its register of members shall be a member of the company.

Register of members.

33. (1) Every company shall keep in one of more books a register of its members, and enter therein the following particulars :—

(i) the names and addresses, and the occupations, if any, of the members and, in the case of a company having a share capital, a statement of the shares held by each member, distinguishing each share by its number, and of the amount paid or agreed to be considered as paid on the shares of each member ;

(ii) the date at which each person was entered in the register as a member ; and

(iii) the date at which any person ceased to be a member.

(2) If a company makes default in complying with the requirements of this section it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues ; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Index of members of company.

34. (1) Every company having more than fifty members shall, unless the register of members is in such a form as to constitute in itself an index, keep an index of the names of the members of the company and shall within fourteen days after the date on which any alteration is made in the register of members make any necessary alteration in the index.

(2) The index, which may be in the form of a card index, shall in respect of each member contain a sufficient indication to enable the account of that member in the register to be readily found.

(3) If default is made in complying with this section, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding fifty rupees.

Annual list of members and summary.

35. (1) Every company having a share capital shall, within eighteen months from its incorporation and thereafter once at least in every year, make a list of all persons who, on the day of the first or only ordinary general meeting in the year, are members of the company, and of all persons who have ceased to be members since the date of the last return or (in the case of the first return), of the incorporation of the company.

(2) The list shall state the names, addresses, and occupations of all the past and present members therein mentioned, and the number o shares held by each of the existing members at the date of the return, specifying shares transferred since the date of the last return or (in the case of the first return) of the incorporation of the company by persons who are still members and persons who have ceased to be members respectively and the dates of registration of the transfers, and shall contain a summary distinguishing between shares issued for cash and shares issued as fully or partly paid up otherwise than in cash, and specifying the following particulars :—

(*a*) the amount of the share capital of the company, and the number of shares into which it is divided.

(*b*) the number of shares taken from the commencement of the company up to the date of the return ;

(*c*) the amount called upon each share ;

(*d*) the total amount of calls received ;

(*e*) the total amount of calls unpaid ;

(*f*) the total amount of the sums (if any) paid by way of commission in respect of any shares or debentures, or allowed by way of discount in respect of any shares or debentures, since the date of the last return or so much thereof as has not been written off at the date of the return;

(*g*) the total number of shares forfeited ;

(*h*) the total amount of shares or stock for which share-warrants are outstanding at the date of the return;

(*i*) the total amount of share-warrants issued and surrendered respectively since the date of the last return ;

(*j*) the number of shares or amount of stock comprised in each share-warrant ;

(*k*) the names and addresses of the persons who at the date of the return are the directors of the company and of the persons (if any) who at the said date are the managers or managing agents of the company, and the change in the personnel of the directors, managers and managing agents since the last return together with the dates on which they took place ; and

(*l*) the total amount of debt due from the company in respect of all mortgages and charges which are required to be registered with the Registrar under this Regulation.

(3) The above list and summary shall be contained in a separate part of the register of members and shall be completed within twenty-one days after the date of the first or only ordinary general meeting in the year, and the company shall forthwith file with the Registrar a copy signed by a director or by the manager or the secretary of the company together with a certificate from such director, manager or secretary that the list and summary state the facts as they stood on the day aforesaid.

(4) A private company shall send with the annual return required by sub-section (1) a certificate signed by a director or other officer of the company that the company has not, since the date of the last return

or, in the case of a first return, since the date of the incorporation of the company, issued any invitation to the public to subscribe for any shares or debentures of the company, and where the annual return discloses the fact that the number of members of the company exceeds fifty also a certificate so signed that the excess consists wholly of persons who under sub-clause (b) of clause 13 of sub-section (1) of Section 2 are not to be included in reckoning the number of fifty.

(5) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Trusts not to be entered on register.

36. No notice of any trust, expressed, implied or constructive, shall be entered on the register, or be receivable by the Registrar.

Transfer of shares.

37. (1) An application for the registration of the transfer of shares in a company may be made either by the transferor or the transferee, provided that where such application is made by the transferor no registration shall in the case of partly paid shares be effected unless the company gives notice of the application to the transferee and subject to the provisions of sub-section (7) the company shall, unless objection is made by the transferee within two weeks from the date of receipt of the notice, enter in its register of members the name of the transferee in the same manner and subject to the same conditions as if the application for registration was made by the transferee.

(2) For the purposes of sub-section (1) notice to the transferee shall be deemed to have been duly given if despatched by prepaid post or anchal to the transferee at the address given in the instrument of transfer and shall be deemed to have been delivered in the ordinary course of post or anchal.

(3) It shall not be lawful for the company to register a transfer of shares in or debentures of the company unless the proper instrument of transfer duly stamped and executed by the transferor and the transferee has been delivered to the company along with the scrip:

Provided that, where it is proved to the satisfaction of the directors of the company that an instrument of transfer signed by the transferor and transferee has been lost, the company may, if the directors think fit, on an application in writing made by the transferee and bearing the stamp required by an instrument of transfer, register the transfer on such terms as to indemnity as the directors may think fit.

(4) If a company refuses to register the transfer of any shares or debentures, the company shall, within two months from the date on which the instrument of transfer was lodged with the company, send to the transferee and the transferor notice of the refusal.

(5) If default is made in complying with sub-section (4) of this section, the company and every director, manager, secretary or other officer of the company who is knowingly a party to the default shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

(6) Nothing in sub-section (3) shall prejudice any power of the company to register as share-holder or debenture-holder any person to whom the right to any shares in or debentures of the company has been transmitted by operation of law.

(7) Nothing in this section shall prejudice any power of the company under its articles to refuse to register the transfer of any shares.

Transfer by legal representative.

38. A transfer of the share or other interest of a deceased member of a company, made by his legal representative shall, although the legal representative is not himself a member, be as valid as if he had been a member at the time of the execution of the instrument of transfer.

Inspection of register of members.

39. (1) The register of members, commencing from the date of the registration of the company, and the index of members shall be kept at the registered office of the company, and, except when closed under the provisions of this Regulation, shall during business hours subject to such reasonable restrictions, as the company in general meeting may impose, so that not less than two hours in each day be allowed for inspection, be open to the inspection of any member gratis, and to the inspection of any other person on payment of one rupee, or such less sum as the company may prescribe for each inspection. Any such member or other persons may make extracts therefrom.

(2) Any member or other person may require a copy of the register, or of any part thereof, or of the list and summary required by this Regulation or any part thereof, on payment of four chuckrams for every hundred words or fractional part thereof required to be copied, and the company shall cause any copy so required by any person to be sent to that person within a period of ten days exclusive of non-working days and days on which the transfer books of the company are closed, commencing on the day next after the day on which the requirement is received by the company.

(3) If any inspection required under this section is refused or if any copy required under this section is not sent within the proper period the company and every officer of the company who is in default shall be liable in respect of each offence to a fine not exceeding twenty rupees and to a further fine not exceeding twenty rupees for every day during which the refusal or default continues and the Court may by an order compel an immediate inspection of the register and index or direct that copies required shall be sent to the persons requiring them.

Power to close register.

40. A company may, on giving seven days' previous notice by advertising in our Government Gazette or in some newspaper circulating in the revenue division in which the registered office of the company is situate, close the register of members for any time or times not exceeding in the whole forty-five days in each year but not exceeding thirty days at a time.

Power of Court to rectify register.

41. (1) If—

(*a*) the name of any person is fraudulently or without sufficient cause entered in or omitted from the register of members of a company; or

(*b*) default is made or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member;

The person aggrieved, or any member of the company, or the company, may apply to the Court for rectification of the register.

(2) The Court may either refuse the application or may order rectification of the register and payment by the company of any damages sustained by any party aggrieved, and may make such order as to costs as it in its discretion thinks fit.

(3) On any application under this section the Court may decide any question relating to the title of any person who is a party to the application to have his name entered in or omitted from the register, whether the question arises between members or alleged members or between members or alleged members on the one hand and the company on the other hand; and generally may decide any question necessary or expedient to be decided for rectification of the register:

Provided that the Court may direct an issue to be tried in which any question of law may be raised.

An appeal from a decision on such an issue shall lie in the manner directed by Section 76 of the Code of Civil Procedure, 1100.

Notice to Registrar of rectification of register.

42. In the case of a company required by this Regulation to file a list of its members with the Registrar the Court, when making an order for rectification of the register, shall, by its order, direct notice of the rectification to be filed with the Registrar within a fortnight from the date of the completion of the order.

Register to be evidence.

43. The register of members shall be *prima facie* evidence of any matters by this Regulation directed or authorised to be inserted therein.

Power for company to keep branch register in any place outside Travancore.

44. (1) A company having a share capital may, if so authorised by its articles, cause to be kept in any place outside Travancore a branch register or registers of members (in this Regulation called a foreign register).

(2) The company shall within one month from the date of opening any foreign register file with the Registrar notice of the situation of the office or offices where such register is kept and in the event of any change in the situation of such office or offices or of its or their discontinuance, shall, within one month from the date of such change or discontinuance as the case may be, file notice of such change or discontinuance.

(3) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Regulations as to foreign register.

45. (1) A foreign register shall be deemed to be part of the company's register of members (in this section called the principal register).

(2) It shall be kept in the same manner in which the principal register is in this Regulation required to be kept, except that the advertisement before closing the register shall be inserted in some newspaper circulating in the locality wherein the foreign register is kept.

(3) The company shall transmit to the registered office in Travancore a copy of every entry in its foreign register as soon as may be after the entry is made; and shall cause to be kept at such office duly entered up from time to time a duplicate of its foreign register and the duplicate shall for all the purposes of this Regulation be deemed to be part of the principal register.

(4) Subject to the provisions of this section with respect to the duplicate register the shares registered in a foreign register shall be distinguished from shares registered in the principal register and no transaction with respect to any shares registered in a foreign register shall during the continuance of that registration be registered in any other register.

(5) The company may discontinue to keep any foreign register and thereupon all entries hitherto registered shall be transferred to the principal register.

(6) Subject to the provisions of this Regulation any company may by its articles make such regulations as it may think fit respecting the keeping of the foreign register.

Issue of share-warrants to bearer.

46. (1) A company limited by shares, if so authorised by its articles, may with respect to any fully paid-up shares, or to stock, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the shares or stock therein specified, and may provide by coupons or otherwise, for the payment of the future dividends on the shares or stock included in the warrant, in the Regulation termed a share-warrant.

(2) Nothing in this section shall apply to a private company.

Effect of share-warrant.

47. A share-warrant shall entitle the bearer thereof to the shares or stock therein specified, and the shares or stock may be transferred by delivery of the warrant.

Registration of name of bearer of share-warrant.

48. The bearer of a share-warrant shall, subject to the articles of the company, be entitled, on surrendering it for cancellation, to have his name entered as a member in the register of members; and the company shall be responsible for any loss incurred by any person by reason of the company entering in its register the name of a bearer of a share-warrant in respect of the shares or stock therein specified without the warrant being surrendered and cancelled

Position of bearer of share-warrant.

49. The bearer of a share-warrant may, if the articles of the company so provide, be deemed to be a member of the company within the meaning of this Regulation either to the full extent or for any purposes defined in the articles, except that he shall not be qualified in respect of the shares or stock specified in the warrant for being a director or manager of the company, in cases where such a qualification is required by the articles.

Entries in register when share-warrant issued.

50. (1) On the issue of a share-warrant, the company shall strike out of its register of members the name of the member then entered therein as holding the shares or stock specified in the warrant as if he has ceased to be a member, and shall enter in the register the following particulars, namely :—

(i) the fact of the issue of the warrant;

(ii) a statement of the shares or stock included in the warrant, distinguishing each share by its number; and

(iii) the date of the issue of the warrant.

(2) If a company makes default in complying with the requirements of this section it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully continues or permits the default shall be liable to the like penalty.

Surrender of share-warrant.

51. Until the warrant is surrendered, the above particulars shall be deemed to be the particulars, required by this Regulation to be entered in the register of members; and, on the surrender, the date of the surrender shall be entered as if it were the date at which a person ceased to be a member.

Power of company to arrange for different amounts being paid on shares.

52. A company, if so authorised by its articles, may do any one or more of the following things, namely :—

(1) make arrangements on the issue of shares for a difference between the shareholders in the amounts and times of payment of calls on their shares;

(2) accept from any member who assents thereto the whole or a part of the amount remaining unpaid on any shares held by him although no part of that amount has been called up ;

(3) pay dividend in proportion to the amount paid up on each share where a larger amount is paid up on some shares than on others.

53. (1) A company limited by shares, if so authorised by its articles, may alter the conditions of its memorandum as follows (that is to say) it may—

Power of company limited by shares to alter its share capital.

(*a*) increase its share capital by the issue of new shares of such amount as it thinks expedient;

(*b*) consolidate and divide all or any of its share capital into shares of larger amount than its existing shares;

(*c*) convert all or any of its paid-up shares into stock and reconvert that stock into paid-up shares of any denomination;

(*d*) sub-divide its shares, or any of them into shares of smaller amount than is fixed by the memorandum, so however, that in the sub-division the proportion between the amount paid and the amount, if any, unpaid on each reduced share shall be the same as it was in the case of the share from which the reduced share is derived; and

(*e*) cancel shares which, at the date of the passing of the resolution in that behalf, have not been taken or agreed to be taken by any person and diminish the amount of its share capital by the amount of the shares so cancelled.

(2) The powers conferred by this section must be exercised by the company in general meeting.

(3) A cancellation of shares in pursuance of this section shall not be deemed to be a reduction of share capital within the meaning of this Regulation.

(4) The company shall file with the Registrar notice of the exercise of any power referred to in clause (*d*) or clause (*e*) of sub-section (1) within fifteen days from the exercise thereof.

54. (1) Where a company having a share capital has consolidated and divided its share capital into shares of larger amount than its existing shares or converted any of its shares into stock, or reconverted stock into shares, it shall within fifteen days of the consolidation and division, conversion or reconversion, file notice with the Registrar of the same, specifying the share consolidated and divided, or converted, or the stock reconverted.

Notice to Registrar of consolidation of share capital, conversion of shares into stock, etc.

(2) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

55. Where a company having a share capital has converted any of its shares into stock, and filed notice of the conversion with the Registrar, all the provisions of this Regulation which are applicable to shares only shall cease as to so much of the share capital as is converted into stock; and the register of members of the

Effect of conversion of shares into stock.

company and the list of members to be filed with the Registrar, shall show the amount of stock held by each member instead of the amount of shares and the particulars relating to shares hereinbefore required by this Regulation.

Notices of increase of share capital or of members.

56. (1) Where a company having a share capital whether its shares have or have not been converted into stock, has increased its share capital beyond the registered capital, and where a company not having a share capital has increased the number of its members beyond the registered number, it shall file with the Registrar, in the case of an increase of share capital, within fifteen days after the passing of the resolution authorising the increase, and in the case of an increase of members within fifteen days after the increase was resolved on or took place, notice of the increase of capital or members and the Registrar shall record the increase.

(2) The notice to be given as aforesaid shall include particulars of the classes of shares affected and the conditions (if any) subject to which the new shares are to be issued.

(3) If a company makes a default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Reorganization of share capital.

57. (1) A company limited by shares may, by special resolution confirmed by an order of the Court, modify the conditions contained in its memorandum so as to reorganize its share capital, whether by the consolidation of shares of different classes or by the division of its shares into shares of different classes:

Provided that no preference or special privilege attached to or belonging to any classes of shares shall be interfered with except by resolution passed by a majority in number of share-holders of that class holding three-fourths of the share capital of that class, and every resolution so passed shall bind all share-holders of the class.

(2) Where an order is made under this section, a certified copy thereof shall be filed with the Registrar within twenty one days after the making of the order, or within such further time as the Court may allow, and the resolution shall not take effect until such a copy has been so filed.

Reduction of share capital.

Restriction on purchase by company or loans by company for purchase of its own shares.

58. (1) No company limited by shares shall have power to buy its own shares or the shares of a public company of which it is a subsidiary company unless the consequent reduction of capital is effected and sanctioned in the manner provided by Sections 59 to 70.

(2) No company limited by shares other than a private company not being a subsidiary company of a public company, shall give, whether directly or indirectly, whether by means of a loan, guarantee, the provision of security or otherwise, any financial assistance for the purpose of or in connection with a purchase made or to be made by any person of any shares in the company :

Provided that nothing in this section shall be taken to prohibit where the lending of money is part of the ordinary business of a company, the lending of money by the company in the ordinary course of its business.

(3) If a company acts in contravention of this section, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding one thousand rupees.

(4) Nothing in this section shall affect the right of a company to redeem any shares issued under Section 137.

Reduction of share capital.

59. (1) Subject to confirmation by the Court, a company limited by shares if so authorised by its articles, may by special resolution reduce its share capital in any way, and in particular (without prejudice to the generality of the foregoing power) may—

(*a*) extinguish or reduce the liability on any of its shares in respect of share capital not paid up ; or

(*b*) either with or without extinguishing or reducing liability on any of its shares, cancel any paid-up share capital which is lost or unrepresented by available assets ; or

(*c*) either with or without extinguishing or reducing liability on any of its shares, pay off any paid-up share capital which is in excess of the wants of the company;

and may, if and so far as is necessary, alter its memorandum by reducing the amount of its share capital and of its shares accordingly.

(2) A special resolution under this section is in this Regulation called a resolution for reducing share capital.

Application to Court for confirming order.

60. Where a company has passed a resolution for reducing share capital, it may apply by petition to the Court for an order confirming the reduction.

Addition to name of company of "and reduced".

61. On and from the passing by a company of a resolution for reducing share capital, or where the reduction does not involve either the diminution of any liability in respect of unpaid share capital or the payment to any shareholder of any paid-up share capital, then on and from the making of the order confirming the reduction the company shall add to its name, until such date as the

Court may fix, the words "and reduced" as the last words in its name, and those words shall, until that date, be deemed to be part of the name of the company:

Provided that, where the reduction does not involve either the diminution of any liability in respect of unpaid share capital or the payment to any shareholder of any paid-up share capital, the Court may, if it thinks expedient, dispense altogether with the addition of the words "and reduced".

Objections by creditors and settlement of list of objecting creditors.

62. (1) Where the proposed reduction of share capital involves either diminution of liability in respect of unpaid share capital, or the payment to any shareholder of any paid-up share capital, and in any other case if the Court so directs, every creditor of the company who at the date fixed by the Court is entitled to any debt or claim, which, if that date were the commencement of the winding up of the company, would be admissible in proof against the company, shall be entitled to object to the reduction.

(2) The Court shall settle a list of creditors so entitled to object and for that purpose shall ascertain as far as possible without requiring an application from any creditor, the names of those creditors and the nature and amount of their debts or claims, and may publish notices fixing a day or days within which creditors not entered on the list are to claim to be so entered or are to be excluded from the right of objecting to the reduction.

Power to dispense with consent of creditor on security being given for his debt.

63. Where a creditor entered on the list of creditors whose debt or claim is not discharged or determined does not consent to the reduction, the Court may, if it thinks fit, dispense with the consent of that creditor, on the company securing payment of his debt or claim by appropriating, as the Court may direct, the following amount (that is to say)—

(i) if the company admits the full amount of his debt or claim or, though not admitting it, is willing to provide for it, then the full amount of the debt or claim;

(ii) if the company does not admit or is not willing to provide for the full amount of the debt or claim or if the amount is contingent or not ascertained, then an amount fixed by the Court after the like inquiry and adjudication as if the company were being wound up by the Court.

Order confirming reduction.

64. The Court, if satisfied, with respect to every creditor of the company who under this Regulation is entitled to object to the reduction, that either his consent to the reduction has been obtained or his debt or claim has been discharged or has been determined or has been secured may make an order confirming the reduction on such terms and conditions as it thinks fit.

65. (1) The Registrar on production to him of an order of the Court confirming the reduction of the share capital of a company, and on the filing with him of a certified copy of the order and of a minute (approved by the Court) showing, with respect to the share capital of the company as altered by the order, the amount of the share capital, the number of shares into which it is to be divided and the amount of each share, and the amount (if any) at the date of the registration deemed to be paid up on each share, shall register the order and minute.

Registration of order and minute of reduction.

(2) On the registration, and not before, the resolution for reducing share capital as confirmed by the order so registered shall take effect.

(3) Notice of the registration shall be published in such manner as the Court may direct.

(4) The Registrar shall certify under his hand the registration of the order and minute, and his certificate shall be conclusive evidence that all the requirements of this Regulation with respect to reduction of share capital have been complied with, and that the share capital of the company is such as is stated in the minute.

66. (1) The minute when registered shall be deemed to be substituted for the corresponding part of the memorandum of the company, and shall be valid and alterable as if it had been originally contained therein, and shall be embodied in every copy of the memorandum issued after its registration.

Minute to form part of memorandum.

(2) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

67. (1) A member of the company, past or present, shall not be liable in respect of any share to any call or contribution exceeding in amount the difference (if any) between the amount paid, or (as the case may be) the reduced amount, if any, which is to be deemed to have been paid, on the share and the amount of the share as fixed by the minute:

Liability of members in respect of reduced shares.

Provided that, if any creditor, entitled in respect of any debt or claim to object to the reduction of share capital, is, by reason of his ignorance of the proceedings for reduction, or of their nature and effect with respect to his claim not entered on the list of creditors, and after the reduction, the company is unable, within the meaning of the provisions of this Regulation with respect to winding up by the Court to pay the amount of his debt or claim, then—

(i) every person who was a member of the company at the date of the registration of the order for reduction and minute, shall be liable to contribute for the payment of that debt, or claim an amount not exceeding the amount which he would have been liable to contribute if the company had commenced to be wound up on the day before that registration ; and

(ii) if the company is wound up, the Court, on the application of any such creditor, and proof of his ignorance as aforesaid, may, if it thinks fit, settle accordingly a list of persons so liable to contribute, and make and enforce calls and orders on the contributories settled on the list as if they were ordinary contributories in a winding up.

(2) Nothing in this section shall affect the rights of the contributories among themselves.

Penalty on concealment of name of creditor.

68. If any officer of the company wilfully conceals the name of any creditor entitled to object to the reduction, or wilfully misrepresents the nature or amount of the debt or claim of any creditor, or if any officer of the company abets any such concealment or misrepresentation as aforesaid, every such officer shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

Publication of reasons for reduction.

69. In any case of reduction of share capital, the Court may require the company to publish as the Court directs the reasons for reduction, or such other information in regard thereto as the Court may think expedient with a view to give proper information to the public, and, if the Court thinks fit, the causes which led to the reduction.

Increase and reduction of share capital in case of a company limited by guarantee having a share capital.

70. A company limited by guarantee and registered after the commencement of this Regulation may, if it has a share capital and is so authorised by its articles, increase or reduce its share capital in the same manner and subject to the same conditions in and subject to which a company limited by shares may increase or reduce its share capital under the provisions of this Regulation.

Variation of shareholders' rights.

Rights of holders of special classes of shares.

71. (1) If, in the case of a company, the share capital of which is divided into different classes of shares, provision is made by the memorandum or articles for authorising the variation of the rights attached to any class of shares in the company subject to the consent of any specified proportion of the holders of the issued shares of that class or the sanction of a resolution passed at a separate meeting of the holders of those shares, and in pursuance of the said provision the rights attached to any such class of shares are at any time varied, the holders of

not less in the aggregate than ten per cent of the issued shares of that class, being persons who did not consent to or vote in favour of the resolution for the variation, may apply to the Court to have the variation cancelled, and where any such application is made the variation shall not have effect unless and until it is confirmed by the Court.

(2) An application under this section must be made within fourteen days after the date on which the consent was given or the resolution was passed, as the case may be, and may be made on behalf of the share-holders entitled to make the application by such one or more of their number as they may appoint in writing for the purpose.

(3) On any such application the Court, after hearing the applicant and any other persons who apply to the Court to be heard and appear to the Court to be interested in the application, may, if it is satisfied having regard to all the circumstances of the case that the variation would unfairly prejudice the share holders of the class represented by the applicant, disallow the variation and shall, if not so satisfied, confirm the variation.

(4) The decision of the Court on any such application shall be final.

(5) The company shall within fifteen days after the service on the company of any order made on any such application forward a copy of the order to the Registrar and, if default is made in complying with this provision, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding fifty rupees.

(6) The expression 'variation' in this section includes 'abrogation' and the expression 'varied' shall be construed accordingly.

Registration of unlimited company as limited.

Registration of unlimited company as limited.

72. (1) Subject to the provisions of this section, any company registered as unlimited may register under this Regulation as limited or any company already registered as a limited company may re-register under this Regulation but the registration of an unlimited company as a limited company shall not affect any debts, liabilities obligations or contracts incurred or entered into by, to, with or on behalf of, the company before the registration, and those debts, liablities, obligations and contracts may be enforced in manner provided by Part VIII of this Regulation in the case of a company registered in pursuance of that Part.

(2) On registration in pursuance of this section, the Registrar shall close the former registration of the company, and may dispense with the delivery to him of copies of any documents with copies of which he was furnished on the occasion of the original registration of the company but, save as aforesaid, the registration shall take place in the same manner and shall have effect as if it were the first registration of the company under this Regulation.

73. An unlimited company having a share capital may by its resolution for registration as a limited company in pursuance of this Regulation, do either or both of the following things, namely :—

Power of unlimited company to provide for reserve share capital on re-registration.

(*a*) increase the nominal amount of its share capital by increasing the nominal amount of each of its shares, but subject to the condition that no part of the amount by which its capital is so increased shall be capable of being called up except in the event and for the purposes of the company being wound up;

(*b*) provided that a specified portion of its uncalled share capital shall not be capable of being called up except in the event and for the purposes of the company being wound up.

Reserve liability of limited Company.

74. A limited company may by special resolution determine that any portion of its share capital which has not been already called up shall not be capable of being called up, except in the event and for the purposes of the company being wound up, and thereupon that portion of its share capital shall not be capable of being called up except in the event and for the purposes aforesaid.

Reserve liability of limited company.

Unlimited liability of Directors.

Limited company may have directors with unlimited liability.

75. (1) In a limited company the liability of the directors or of any director may, if so provided by the memorandum, be unlimited.

(2) In a limited company in which the liability of any director is unlimited, the directors of the company (if any) and the member who proposes a person for election or appointment to the office of director shall add to that proposal a statement that the liability of the person holding that office will be unlimited and the promoters and officers of the company, or one of them, shall, before the person accepts the office or acts therein, give him notice in writing that his liability will be unlimited.

(3) If any director or proposer makes default in adding such a statement, or if any promoter or officer of the company makes default in giving such a notice, he shall be liable to a fine not exceeding one thousand rupees and shall also be liable for any damage which the person so elected or appointed may sustain from the default, but the liability of the person elected or appointed shall not be affected by the default.

Special resolution of limited company making liability of directors unlimited.

76. (1) A limited company, if so authorised by its articles, may, by special resolution, alter its memorandum so as to render unlimited the liability of its directors or of any director.

(2) Upon the passing of any such special resolution, the provisions thereof shall be as valid as if they had been originally contained in the memorandum.

PART IV.

MANAGEMENT AND ADMINISTRATION.

Office and name.

Registered office of company.

77. (1) A company shall as from the day on which it begins to carry on business, or as from the twenty-eighth day after the date of its incorporation, whichever is the earlier, have a registered office to which all communications and notices may be addressed.

(2) Notice of the situation of the registered office and of any change therein shall be given within twenty-eight days after the date of the incorporation of the company or of the change, as the case may be, to the Registrar who shall record the same.

(3) The inclusion in the annual return of a company of the statement as to the address of its registered office shall not be taken to satisfy the obligation imposed by this section.

(4) If a company carries on business without complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which it so carries on business.

Publication of name by a limited company.

78. Every limited company—

(*a*) shall paint or affix, and keep painted or affixed, its name on the outside of every office or place in which its business is carried on, in a conspicuous position in letters easily legible and in English characters, and also in the characters of one of the vernacular languages used in that place;

(*b*) shall have its name engraven in legible characters on its seal;

(*c*) shall have its name mentioned in legible English characters or in the characters of one of the vernacular languages of the place where its office is situate in all bill-heads and letter paper and in all notices, advertisements and other official publications of the company, and in all bills of exchange, hundis, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of the company, and in all bills or parcels, invoices, receipts and letters of credit of the company.

Penalties for non-publication of name.

79. (1) If a limited company does not paint or affix, and keep painted or affixed, its name in manner directed by this Regulation it shall be liable to a fine not exceeding fifty rupees for not so painting or affixing its name, and for every day during which its name is

not so kept painted or affixed, and every officer of the company, who knowingly and wilfully authorises or permits the default, shall be liable to the like penalty.

(2) If any officer of a limited company, or any person on its behalf, uses or authorises the use of any seal purporting to be a seal of the company, whereon its name is not so engraven as aforesaid, or issues or authorises the issue of any bill-head, letter paper, notice, advertisement or other official publication of the company, or signs or authorises to be signed on behalf of the company any bill of exchange, hundi, promissory note, endorsement, cheque or order for money or goods, or issues or authorises to be issued any bill of parcels, invoice, receipt or letter of credit of the company, wherein its name is not mentioned in manner aforesaid, he shall be liable to a fine not exceeding five hundred rupees and shall further be personally liable to the holder of any such bill of exchange, hundi, promissory note, cheque or order for money or goods, for the amount thereof unless the same is duly paid by the company.

Publication of authorised as well as subscribed and paid-up capital.

80. (1) Where any notice, advertisement or other official publication of a company contains a statement of the amount of the authorised capital of the company, such notice, advertisement or other official publication shall also contain a statement in an equally prominent position and in equally conspicuous characters of the amount of the capital which has been subscribed and the amount paid up.

(2) Any company which makes default in complying with the requirements of this section and every officer of the company who is knowingly a party to the default shall be liable to a fine not exceeding one thousand rupees.

Meetings and Proceedings.

Annual general meeting.

81. (1) A general meeting of every company shall be held within eighteen months from the date of its incorporation and thereafter once at least in every calendar year and not more than fifteen months after the holding of the last preceding general meeting.

(2) If default is made in holding a meeting in accordance with the provisions of this section, the company and every director or manager of the company who is knowingly and wilfully a party to the default shall be liable to a fine not exceeding five hundred rupees.

(3) If default is made as aforesaid the Court may, on the application of any member of the company, call or direct the calling of a general meeting of the company.

Statutory meeting of the company.

82. (1) Every company limited by shares and every company limited by guarantee and having a share capital shall within a period of not less than one month nor more than six months from the date at which the company is entitled to commence business, hold a general meeting of the members of the company, which shall be called a statutory meeting.

(2) The directors shall, at least twenty-one days before the day on which the meeting is held, forward a report (in this Regulation referred to as the statutory report) sworn to and certified as required by this section to every member of the company.

(3) The statutory report shall be sworn to and certified by not less than two directors of the company or by the chairman of the directors if authorised in this behalf by the directors before a Magistrate and shall state—

(*a*) the total number of shares allotted, distinguishing shares allotted as fully or partly paid up otherwise than in cash, and stating in the case of shares partly paid up the extent to which they are so paid up, and in either case the consideration for which they have been allotted;

(*b*) the total amount of cash received by the company in respect of all the shares allotted, distinguished as aforesaid;

(*c*) an abstract of the receipts of the company and of the payments made thereout up to a date within seven days of the date of the report exhibiting under distinctive headings the receipts of the company from shares and debentures and other sources, the payments made thereout, and particulars concerning the balance remaining in hand, and an account or estimate of the preliminary expenses of the company showing separately any commission or discount paid on the issue or sale of shares;

(*d*) the names, addresses and descriptions of the directors, auditors, managing agents and managers, if any, and secretary of the company and the changes, if any, which have occurred since the date of the incorporation;

(*e*) the particulars of any contract, the modification of which is to be submitted to the meeting for its approval, together with the particulars of the modification or proposed modification;

(*f*) the extent to which underwriting contracts, if any, have been carried out;

(*g*) the arrears, if any, due on calls from directors, managing agents and managers; and

(*h*) the particulars of any commission or brokerage paid or to be paid in connection with the issue or sale of shares to any director, managing agent or manager or a partner of the managing agent if the managing agent is a firm or if the managing agent is a private company a director thereof.

(4) The statutory report shall, so far as it relates to the shares allotted by the company, and to the cash received in respect of such shares and to the receipts and payments of the company, be certified as correct by the auditors of the company.

(5) The directors shall cause a copy of the statutory report sworn to and certified as required by this section to be delivered to the Registrar for registration forthwith after the sending thereof to the members of the company.

(6) The directors shall cause a list showing the names, descriptions and addresses of the members of the company, and the number of shares held by them respectively to be produced at the commencement of the meeting, and to remain open and accessible to any member of the company during the continuance of the meeting.

(7) The members of the company present at the meeting shall be at liberty to discuss any matter relating to the formation of the company or arising out of the statutory report, whether previous notice has been given or not, but no resolution of which notice has not been given in accordance with the articles may be passed.

(8) The meeting may adjourn from time to time and at any adjourned meeting any resolution of which notice has been given in accordance with the articles either before or subsequently to the former meeting, may be passed, and the adjourned meetings shall have the same powers as an original meeting.

(9) If a petition is presented to the Court in manner provided by Part V for winding up the company on the ground of default in filing the statutory report or in holding the statutory meeting, the Court may, instead of directing that the company be wound up, give directions for the statutory report to be filed or a meeting to be held, or make such other order as may be just.

(10) In the event of any default in complying with the provisions of this section every director of the company who is guilty of or who knowingly and wilfully authorises or permits the default shall be liable to a fine not exceeding five hundred rupees.

(11) This section shall not apply to a private company.

Calling of extraordinary general meeting on requisition.

83. (1) Notwithstanding anything in the articles, the directors of a company which has a share capital shall, on the requisition of the holders of not less than one-tenth of that part of the issued share capital of the company upon which all calls or other sums then due have been paid, forthwith proceed to call an extraordinary general meeting of the company.

(2) The requisition must state the objects of the meeting, and must be signed by the requisitionists and deposited at the registered office of the company, and may consist of several documents in like form, each signed by one or more requisitionists.

(3) If the directors do not proceed within twenty-one days from the date of the requisition being so deposited to cause a meeting to be called, the requisitionists, or a majority of them in value, may themselves call the meeting, but in either case any meeting so called shall be held within three months from the date of the deposit of the requisition.

(4) Any meeting, called under this section by the requisitionists shall be called in the same manner, as nearly as possible, as that in which meetings are to be called by directors.

(5) Any reasonable expenses incurred by the requisitionists by reason of the failure of the directors duly to convene a meeting shall be repaid to the requisitionists by the company, and any sums so repaid shall be retained by the company, out of any sums due or to become due from the company by way of fees or other remuneration for their services to such of the directors as were in default.

84 (1) The following provisions shall have effect with respect to meetings of a company other than a private company not being a subsidiary of a public company and the procedure thereat, notwithstanding any provision made in the articles of the company in this behalf:—

Provisions as to meetings and votes.

(*a*) a meeting of a company other than a meeting for the passing of a special resolution may be called by not less than fourteen days' notice in writing; but with the consent of all the members entitled to receive notice of some particular meeting that meeting may be convened by such shorter notice and in such manner as those members may think fit;

(*b*) notice of the meeting of a company with a statement of the business to be transacted at the meeting shall be served on every member in the manner in which notices are required to be served by Table A and for the purposes of this clause the expression 'Table A' means that table as for the time being in force; but the accidental omission to give notice to, or the non-receipt of notice by, any member shall not invalidate the proceedings at any meeting;

(*c*) five members present in person or by proxy, or the chairman of the meeting, or any member or members holding not less than one-tenth of the issued capital which carries voting rights shall be entitled to demand a poll:

Provided that in the case of a private company if not more than seven members are personally present, one member, and if more than seven members are personally present, two members shall be entitled to demand a poll;

(*d*) an instrument appointing a proxy, if in the forms set out in regulation 68 of Table A, shall not be questioned on the ground that it fails to comply with any special requirements specified for such instruments by the articles; and

(*e*) any shareholder whose name is entered in the register of shareholders of the company shall enjoy the same rights and be subject to the same liabilities as all other shareholders of the same class.

(2) The following provisions shall have effect in so far as the articles of the company do not make other provisions in that behalf:—

(*a*) two or more members holding not less than one-tenth of the total share capital paid up or, if the company has not a share capital, not less than five per cent. in number of the members of the company may call a meeting;

(*b*) in the case of a private company two members and in the case of any other company five members personally present shall be a quorum;

(*c*) any member elected by the members present at a meeting may be chairman thereof;

(*d*) in the case of a company originally having a share capital every member shall have one vote in respect of each share or each hundred rupees of stock held by him, and in any other case every member shall have one vote;

(*e*) on a poll votes may be given either personally or by proxy;

(*f*) the instrument appointing a proxy shall be in writing under the hand of the appointer or of his attorney duly authorised in writing, or if the appointer is a corporation, either under seal or under the hand of an officer or an attorney duly authorised; and

(*g*) a proxy must be a member of the company.

(3) If for any reason it is impracticable to call a meeting of a company in any manner in which meetings of that company may be called or to conduct the meeting of the company in manner prescribed by the articles of this Regulation the Court may, either of its own motion or on the application of any director of the company or of any member of the company who would be entitled to vote at the meeting, order a meeting of the company to be called, held and conducted in such manner as the Court thinks fit, and where any such order is given, may give such ancillary or consequential directions as it thinks expeidient, and any meeting called, held and conducted in accordance with any such order shall for all purposes be deemed to be a meeting of the company duly called, held and conducted.

Representation of companies at meetings of other companies of which they are members.

85. A company which is a member of another company may, by resolution of the directors, authorise any of its officials or any other person to act as its representative at any meeting of that other company, and the person so authorised shall be entitled to exercise the same powers on behalf of the company which he represents as if he were an individual share-holder of that other company.

Extraordinary and special resolutions.

86. (1) A resolution shall be an extraordinary resolution when it has been passed by a majority of not less than three-fourths of such members entitled to vote as are present in person or by proxy (where proxies are allowed), at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

(2) A resolution shall be a special resolution when it has been passed by such a majority as is required for the passing of an extraordinary resolution and at a general meeting of which not less than twenty-one days' notice specifying the intention to propose the resolution as a special resolution has been duly given:

Provided that if all the members entitled to attend and vote at any such meeting so agree, a resolution may be proposed and passed as a special resolution at a meeting of which less than twenty-one days' notice has been given.

(3) At any meeting at which an extraordinary resolution or a special resolution is submitted to be passed, a declaration of the chairman on a show of hands that the resolution is carried shall, unless a

poll is demanded, be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

(4) At any meeting at which an extraordinary resolution or a special resolution is submitted to be passed, a poll may be demanded.

(5) In a case where, if a poll is demanded it may in accordance with the articles be taken in such manner as the chairman may direct, it may, if the chairman so directs, be taken at the meeting at which it is demanded.

(6) When a poll is demanded in accordance with this section, in computing the majority on the poll, reference shall be had to the number of votes to which each member is entitled by the articles of the company or under this Regulation.

(7) For the purposes of this section notice of a meeting shall be deemed to be duly given and the meeting to be duly held when the notice is given and the meeting held in manner provided by the articles under this Regulation.

Registration and copies of special and extraordinary resolutions.

87. (1) A Copy of every special and extraordinary resolution shall within fifteen days from the passing thereof be printed or typewritten and duly certified under the signature of an officer of the company and filed with the Registrar who shall record the same.

(2) Where articles have been registered a copy of every special resolution for the time being in force shall be embodied in or annexed to every copy of the articles issued after the date of the resolution.

(3) Where articles have not been registered a copy of every special resolution shall be forwarded in print to any member at his request, on payment of one rupee or such less sum as the company may direct.

(4) If a company makes default in so filing with the Registrar a copy of a special or extraordinary resolution, it shall be liable to a fine not exceeding twenty rupees for every day during which the default continues.

(5) If a company makes default in embodying in or annexing to a copy of its articles or in forwarding in print to a member when required by this section a copy of a special resolution, it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made.

(6) Every officer of a company who knowingly and wilfully authorises or permits any default by the company in complying with the requirements of this section shall be liable to the like penalty as is imposed by this section on the company for that default.

Minutes of proceedings of general meetings and of its directors.

88. (1) Every company shall cause minutes of all proceedings of general meetings and of its directors to be entered in books kept for that purpose.

(2) Any such minute, if purporting to be signed by the chairman of the meeting at which the proceedings were had, or by the chairman of the next succeeding meeting, shall be evidence of the proceedings.

(3) Until the contrary is proved, every general meeting of the company or meeting of directors in respect of the proceedings whereof minutes have been so made shall be deemed to have been duly called and held, and all proceedings had thereat to have been duly had, and all appointments of directors or liquidators shall be deemed to be valid.

(4) The books containing the minutes of proceedings of any general meeting of a company held after the commencement of this Regulation shall be kept at the registered office of the company and shall during business hours (subject to such reasonable restrictions as the company may by its articles or in general meeting impose so that not less than two hours in each day be allowed for inspection) be open to the inspection of any member without charge.

(5) Any member shall at any time after seven days from the meeting be entitled to be furnished within seven days after he has made a request in that behalf to the company with a copy of any minutes referred to in sub-section (4) at a charge not exceeding four chuckrams for every hundred words.

(6) If any inspection required under sub-section (4) of this section is refused or if any copy required under sub-section (5) of this section is not furnished within the time specified in sub-section (5) the company and every officer of the company who is knowingly and wilfully in default shall be liable in respect of each offence to a fine not exceeding twenty-five rupees and to a further fine of twenty-five rupees for every day during which the default continues.

(7) In the case of any such refusal or default, the court may by order compel an immediate inspection of the books in respect of all proceedings of general meetings or direct that the copies required shall be sent to the persons requiring them.

Directors.

Directors obligatory. 89. (1) Every company shall have at least three directors.

(2) This section shall not apply to a private company except a private company being a subsidiary company of a public company.

Appointment of directors. 90. (1) In default of and subject to any regulations in the articles of a company, other than a private company—

(i) the subscribers of the memorandum shall be deemed to be the directors of the company until the first directors shall have been appointed;

(ii) the directors of the company shall be appointed by the members in general meeting; and

(iii) any casual vacancy occuring among the directors may be filled up by the directors, but the person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last appointed a director.

(2) Notwithstanding anything contained in the articles of a company other than a private company not less than two-thirds of the whole number of directors shall be persons whose period of office is liable to determination at any time by retirement of directors in rotation:

Provided that nothing herein contained shall apply to a company incorporated before the commencement of this Regulation where by virtue of the articles of the company the number of directors whose period of office is liable to determination at any time by retirement of directors in rotation falls below the two-thirds proportion mentioned in this section.

Restrictions on appointment or advertisements of director.

91. (1) A person shall not be capable of being appointed director of a company by the articles, and shall not be named as a director or proposed director of a company in any prospectus issued by or on behalf of the company or in relation to any intended company or in any statement in lieu of prospectus filed by or on behalf of a company, unless, before the registration of the articles or the publication of the prospectus, or the filing of the statement in lieu of prospectus, as the case may be, he has, by himself or by his agent, authorised in writing—

(i) signed and filed with the Registrar a consent in writing to act as such director; and

(ii) save in the case of companies not having a share capital, either signed the memorandum for a number of shares not less than his qualification (if any) or taken from the company and paid or agreed to pay for his qualification shares, or signed and filed with the registrar a contract in writing to take from the company and pay for his qualification shares (if any), or made and filed with the Registrar an affidavit to the effect that a number of shares not less than his qualification (if any), are registered in his name.

(2) On the application for registration of the memorandum and articles, if any, of a company the applicant shall file with the Registrar a list of the persons who have consented to be directors of the company and, if this list contains the name of any person who has not so consented, the applicant shall be liable to a fine not exceeding five hundred rupees.

(3) This section shall not apply to a private company or a company which was private company before becoming a public company nor to a prospectus issued by or on behalf of a company after the expiration of one year from the date at which the company is entitled to commence business.

92. (1) Without prejudice to the restrictions imposed by Section 91, it shall be the duty of every director who is by the articles required to hold a specified share qualification and who is not already qualified, to obtain his qualification within two months after his appointment, or such shorter time as may be fixed by the articles.

Qualification of director.

(2) If, after the expiration of the said period or shorter time, any unqualified person acts as a director of the company, he shall be liable to a fine not exceeding fifty rupees for every day between the expiration of the said period or shorter time and the last day on which it is proved that he acted as a director.

93. The acts of a director shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualification:

Validity of acts of directors.

Provided that nothing in this section shall be deemed to give validity to acts done by a director after the appointment of such director has been shown to be invalid.

94. (1) If any person being an undischarged insolvent acts as director or managing agent or manager of any company he shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding one thousand rupees or to both.

Ineligibility of bankrupt to act as director.

(2) In this section the expression 'company' includes a company incorporated outside Travancore which has an established place of business within Travancore.

95. If in the case of any company provision is made by the articles or by any agreement entered into between any person and the company for empowering a director or manager of the company to assign his office as such to another person, any assignment of office made in pursuance of the said provision shall, notwithstanding anything to the contrary contained in the said provision, be of no effect unless and until it is approved by a special resolution of the company :

Assignment of office by directors.

Provided that the exercise by a director of a power to appoint an alternate or substitute director to act for him during an absence of not less than three months from the revenue division in which meetings of the directors are ordinarily held, if done with the approval of the board of directors, shall not be deemed to be an assignment of office within the meaning of this section.

Provided always that any such alternate or substitute director shall *ipso facto* vacate office if and when the appointer returns to the revenue division in which meetings of the directors are ordinarily held.

96. Save as provided in this section, any provision, whether contained in the articles of a company or in any contract with a company or otherwise, for exempting any director, manager or officer of the company or any person (whether an officer of the company or not) employed by the company as auditor from or indemnifying him against any liability which by virtue of any rule of law

Avoidance of provisions relieving liability of directors.

would otherwise attach to him in respect of any negligence, default, breach of duty or breach of trust of which he may be guilty in relation to the company shall be void:

Provided that—

(a) in relation to any such provision which is in force at the date of the commencement of this Regulation this section shall have effect only on the expiration of a period of six months from that date, and

(b) nothing in this section shall operate to deprive any person of any exemption or right to be indemnified in respect of anything done or omitted to be done by him while any such provision was in force, and

(c) notwithstanding anything in this section, a company may, in pursuance of any such provision as aforesaid, indemnify any such director, manager, officer or auditor against any liability incurred by him in defending any proceedings, whether civil or criminal in which judgment is given in his favour or in which he is acquitted, or in connection with any application under Section 353 of this Regulation in which relief is granted to him by the Court

Loans to directors

97. (1) No company shall make any loan or guarantee any loan made to a director of the company or to a firm of which such director is a partner or to a private company of which such director is a member or director.

(2) In the event of any contravention of sub-section (1) any director of the company who is a party to such contravention shall be punishable with fine which may extend to five hundred rupees, and if default is made in repayment of the loan or in discharging the guarantee shall be liable jointly and severally for the amount unpaid.

(3) This section shall not apply to a private company (except a private company which is the subsidiary company of a public company or to a banking company.

Director not to hold office of profit.

98. No director or firm of which such director is a partner or private company of which such director is a director shall without the consent of the company in general meeting hold any office of profit under the company except that of a managing director or manager or a legal or technical advisor or a banker:

Provided that nothing herein contained shall apply to a director elected or appointed before the commencement of this Regulation in respect of any office of profit under the company held by him at the commencement of the said Regulation.

Explanation:—For the purposes of this section the office of managing agent shall not be deemed to be an office of profit under the company.

99. Except with the sanction of the board of directors, a director of the company or the firm of which he is a partner or any partner of such firm, or the private company of which he is a member or director, shall not enter into any contracts for the sale, purchase or supply of goods and materials with the company, provided that nothing herein contained shall affect any such contract or agreement for such sale, purchase or supply entered into before the commencement of this Regulation.

Sanction of directors necessary for certain contracts.

100. (1) The company may by extraordinary resolution remove any director, whose period of office is liable to determination at any time by retirement of directors in rotation, before the expiration of his period of office, and may by ordinary resolution appoint another person in his stead. The person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected director. A director so removed shall not be re-appointed a director by the board of directors.

Removal of directors.

(2) This section shall not apply to directors elected or appointed before the commencement of this Regulation.

101. The directors of a public company or of a subsidiary company of a public company shall not, except with the consent of the company concerned in general meeting—

Restrictions on powers of directors.

(*a*) sell or dispose of the undertaking of the company ;

(*b*) remit any debt due by a director.

102. (1) The office of a director shall be vacated if—

Vacation of office of director.

(*a*) he fails to obtain within the time specified in sub-section (1) of Section 92 or at any time thereafter ceases to hold, the share qualification, if any, necessary for his appointment, or

(*b*) he is found to be of unsound mind by a court of competent jurisdiction, or

(*c*) he is adjudged an insolvent, or

(*d*) he fails to pay calls made on him in respect of shares held by him within six months from the date of such calls being made, or

(*e*) he or any firm of which he is a partner or any private company of which he is a director without the sanction of the company in general meeting accepts or holds any office of profit under the company other than that of a managing director or manager or a legal or technical advisor or a banker, or

(*f*) he absents himself from three consecutive meetings of the directors or from all meetings of the directors for a continuous period of three months whichever is the longer, without leave of absence from the board of directors, or

(*g*) he or any firm of which he is a partner or any private company of which he is a director accepts a loan or guarantee from the company in contravention of Section 97, or

(*h*) he acts in contravention of Section 99.

(2) Nothing contained in this section shall be deemed to preclude a company from providing by its articles that the office of director shall be vacated on grounds additional to those specified in this section.

Register of directors, managers and managing agents.

103. (1) Every company shall keep at its registered office a register of its directors, managers and managing agents containing with respect to each of them the following particulars, that is to say:—

(*a*) in the case of an individual, his present name in full, any former name or surname in full, his usual residential address, his nationality and, if that nationality is not the nationality of origin his nationality of origin and his business occupation, if any, and if he holds any other directorship or directorships the particulars of such directorship or directorships;

(*b*) in the case of a corporation, its corporate name and registered or principal office, and the full name, address and nationality of each of its directors; and

(*c*) in the case of a firm, the full name, address and nationality of each partner and the date on which each became a partner.

(2) The company shall within the periods respectively mentioned in the sub-section send to the Registrar a return in the prescribed form containing the particulars specified in the said register and a notification in the prescribed form of any change among its directors, managers or managing agents or in any of the particulars contained in the register.

The period within which the said return is to be sent shall be a period of fourteen days from the appointment of the first directors of the company and the period within which the said notification of a change is to be sent shall be fourteen days from the happening thereof.

(3) The register to be kept under this section shall during business hours (subject to such reasonable restrictions as the company may by its articles or in general meeting impose, so that not less than two hours in each day be allowed for inspection) be open to the inspection of any member of the company without charge and of any other person on payment of one rupee or such less sum as the company may impose for each inspection.

(4) If any inspection required under this section is refused or if default is made in complying with sub-section (1) or sub-section (2) of this section, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine of fifty rupees.

(5) In the case of any such refusal, the court on application made by the person to whom inspection has been refused and upon notice to the company may by order direct an immediate inspection of the register.

Managing Agents.

104. (1) No managing agent shall, after the commencement of this Regulation, be appointed to hold office for a term of more than ten years at a time.

Duration of appointment of managing agent.

(2) Notwithstanding anything to the contrary contained in the articles of a company or in any agreement with the company a managing agent of a company appointed before the commencement of this Regulation shall not continue to hold office after the expiry of ten years from the commencement of this Regulation unless then reappointed thereto or unless he has been reappointed thereto before the expiry of the said ten years.

(3) A managing agent whose office is terminated by virtue of the provisions of sub-section (2) shall upon such termination be entitled to a charge upon the assets of the company by way of indemnity for all liabilities or obligations properly incurred by the managing agent on behalf of the company subject to existing charges and encumbrances, if any.

(4) The termination of the office of a managing agent by virtue of the provisions of sub-section (2) shall not take effect until all moneys payable to the managing agent for loans made to or remuneration due up to the date of such termination from the company are paid.

(5) Nothing in this section shall apply to a private company which is not the subsidiary company of a public company.

105. Notwithstanding anything to the contrary contained in the articles of the company or in any agreement with the company—

Conditions applicable to managing agents.

(*a*) a company may, by resolution passed at a general meeting of which notice has been given to the managing agent in the same manner as to members of the company, remove a managing agent if he is convicted of an offence in relation to the affairs of the company punishable under the Travancore Penal Code, and being under the provisions of the Code of Criminal Procedure non-bailable, and for the purposes of this clause where the managing agent is a firm or company an offence committed by a member of such firm or a director of or an officer holding a general power of attorney from such company shall be deemed to be an offence committed by such firm or company :

Provided that a managing agent shall not be liable to be removed under the provisions hereof if the offending member, director or officer as aforesaid is expelled or dismissed by the managing agent within thirty days from the date of his conviction or if his conviction is set aside on appeal ;

(*b*) the office of a managing agent shall be vacated if he is adjudged insolvent ;

(c) a transfer of his office by a managing agent shall be void unless approved by the company in general meeting:

Provided that in the case of a managing agent's firm a change in the partners thereof shall not be deemed to operate as a transfer of the office of managing agent, so long as one of the original partners shall continue to be a partner of the managing agent's firm. For the purpose of this proviso 'original partners' shall mean, in the case of managing agents appointed before the commencement of this Regulation partners who were partners at the date of the commencement of this Regulation, and, in the case of managing agents appointed after the commencement of this Regulation partners who were partners at the date of the appointment;

(d) a charge or assignment of his remuneration or any part thereof effected by a managing agent shall be void as against the company;

(e) if a company is wound up either by the court or voluntarily, any contract of management made with a managing agent shall be thereupon determined without prejudice, however to the right of the managing agent to recover any moneys recoverable by the managing agent from the company:

Provided that where the court finds that the winding up is due to the negligence or default of the managing agent himself, the managing agent shall not be entitled to receive any compensation for the premature termination of his contract of management; and

(f) the appointment of a managing agent, the removal of a managing agent and any variation of a managing agent's contract of management made after the commencement of this Regulation shall not be valid unless approved by the company by a resolution at a general meeting of the company notwithstanding anything to the contrary in Section 98:

Provided that nothing herein contained shall apply to the appointment of a company's first managing agent made prior to the issue of the prospectus or statement in lieu of prospectus where the terms of the appointment of such managing agent are there set forth.

Remuneration of managing agent

106. (1) Where any company appoints a managing agent after the commencement of this Regulation, the remuneration of the managing agent shall be a sum based on a fixed percentage of the net annual profits of the company, with provision for a minimum payment in the case of absence of or inadequacy of profits, together with an office allowance to be defined in the agreement of management.

(2) Any stipulation for remuneration additional to or in any other form than the remuneration specified in sub-section (1) shall not be binding on the company unless sanctioned by a special resolution of the company.

(3) For the purposes of this section 'net profits' means the profits of the company calculated after allowing for all the usual working charges, interest on loans and advances, repairs and outgoings, depreciation, bounties or subsidies received from Government or from a public body, profits by way of premium on shares sold, profits on sale proceeds of forfeited shares, or profits from the sale of the whole or part of the undertaking of the company but without any deduction in respect of income tax or super tax, or any other tax or duty on income or revenue or for expenditure by way of interest on debentures or otherwise on capital account or on account of any sum which may be set aside in each year out of the profits for reserve or any other special fund.

(4) This section shall not apply to a private company except a private company which is the subsidiary company of a public company or to any company whose principal business is the business of insurance.

Loans to managing agent.

107. (1) No company shall make to a managing agent of the company or to any partner of the firm, if the managing agent is a firm, or to any member or director of the private company, if the managing agent is a private company, any loan out of moneys of the company or guarantee any loan made to a managing agent.

(2) Nothing contained in this section shall apply to any credit held by a managing agent in a current account maintained subject to limits previously approved by the board of directors, by the company with the managing agent for the purpose of the company's business.

(3) In the event of any contravention of sub-section (1) any director of the company who is a party to the making of the loan or giving of the guarantee shall be punishable with fine which may extend to five hundred rupees, and if default is made in repayment of the loan or discharging the guarantee, shall be liable jointly and severally for the amount unpaid.

(4) Nothing in this section shall apply to a private company except a private company which is the subsidiary company of a public company.

(5) Except with the consent of three-fourth of the directors present and entitled to vote on the resolution, a managing agent of the company, or the firm of which he is a partner, or any partner of such firm, or, if the managing agent is a private company, a member or director thereof, shall not enter into any contract for the sale, purchase or supply of goods and materials with the company, provided that nothing herein contained shall affect any such contract for such sale, purchase or supply entered into before the commencement of this Regulation.

Loans to or by companies under the same management.

108. (1) No company incorporated before the commencement of this Regulation which is under the management of a managing agent shall after the commencement of this Regulation make any loan to or guarantee any loan made to any company under management by the same managing agent, and no company shall

after the expiry of six months from the commencement of this Regulation except by way of renewal of any existing loan or guarantee given make any loan to or guarantee any loan made to any such company:

Provided that nothing herein contained shall apply to loans made or guarantees given by a company to or on behalf of a company under its own management, or loans made by or to a company to or by a subsidiary company thereof, or to guarantees given by a company on behalf of a subsidiary company thereof.

(2) In the event of any contravention of the provisions of this section, any director or officer of the company making the loan or giving the guarantee who is knowingly and wilfully in default shall be liable to a fine not exceeding one thousand rupees and shall be jointly and severally liable for any loss incurred by the company in respect of such loan or guarantee.

Purchase by company of shares of company under same managing agent.

109. A company other than an investment company, that is to say, a company whose principal business is the acquisition and holding of shares, stocks, debentures or other securities, shall not purchase shares or debentures of any company under management by the same managing agent, unless the purchase has been previously approved by a unanimous decision of the board of directors of the purchasing company.

Restriction on managing agent's powers of management.

110. A managing agent shall not exercise in respect of any company of which he is a managing agent a power to issue debentures or, except with the authority of the directors, and within the limits fixed by them, a power to invest the funds of the company, and any delegation of any such power by a company to a managing agent shall be void.

Managing agent not to engage in business competing with the business of managed company.

111. A managing agent shall not on his own account engage in any business which is of the same nature as and directly competes with the business carried on by a company under his management or by a subsidiary company of such company.

Limits on number of directors appointed by managing agent.

112. Notwithstanding anything contained in the articles of a company other than a private company the directors, if any, appointed by the managing agent shall not exceed in number one third of the whole number of directors.

Contracts.

Form of contracts.

113. (1) Contracts on behalf of a company may be made as follows (that is to say) : -

(i) any contract which, if made between private persons, would be by law required to be in writing signed by the parties to be charged therewith, may be made on behalf of the company, in writing signed by any person acting under its authority, express or implied, and may in the same manner be varied or discharged ;

(ii) any contract which, if made between private persons, would by law be valid although made by parol only, and not reduced into writing may be made by parol on behalf of the company by any person acting under its authority express or implied, and may in the same manner be varied or discharged.

(2) All contracts made according to this section shall be effectual in law and shall bind the company and its successors and all other parties thereto, their heirs, or legal representatives, as the case may be.

Bills of exchange and promissory notes.

114. A bill of exchange, or hundi or promissory note shall be deemed to have been made, drawn, accepted or endorsed on behalf of a company if made, drawn, accepted or endorsed in the name of, or by or on behalf or on account of, the company by any person acting under its authority, express or implied.

Execution of deeds.

115. A company may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute deeds on its behalf in any place either in or outside Travancore and every deed signed by such attorney, on behalf of the company, and under his seal, where sealing is required, shall bind the company, and have the same effect as if it were under its common seal.

Power for company to have official seal for use abroad.

116. (1) A company whose objects require or comprise the transaction of business beyond the limits of Travancore may, if authorised by its articles, have for use in any place outside Travancore, an official seal, which shall be a facsimile of the common seal of the company with the addition on its face of the name of every place where it is to be used.

(2) A company having such an official seal may, by writing under its common seal, authorise any person appointed for the purpose in any place outside Travancore to affix the same to any deed or other document to which the company is party in that place.

(3) The authority of any such agent shall, as between the company and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is there mentioned, then, until notice of the revocation or determination of the agent's authority has been given to the person dealing with him.

(4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

(5) A deed or other document to which an official seal is duly affixed, shall bind the company as if it had been sealed with the common seal of the company.

117. (1) Every director who is directly or indirectly concerned or interested in any contract or arrangement entered into by or on behalf of the company shall disclose the nature of his interest at the meeting of the directors at which the contract or arrangement is determined on, if his interest then exists, or in any other case at the first meeting of the directors after the acquisition of his interest or the making of the contract or arrangement:

Disclosure of interest by directors.

Provided that a general notice that a director is a director or a member of any specified company or is a member of any specified firm, and is to be regarded as interested in any subsequent transaction with such firm or company, shall as regards any such transaction be sufficient disclosure within the meaning of this sub-section and after such general notice, it shall not be necessary to give any special notice relating to any particular transaction with such firm or company.

(2) Every director who contravenes the provisions of sub-section (1) shall be liable to a fine not exceeding one thousand rupees.

(3) A register shall be kept by the company in which shall be entered particulars of all contracts or arrangements to which sub-section (1) applies, and which shall be open to inspection by any member of the company at the registered office of the company during business hours.

(4) Every officer of the company who knowingly and wilfully acts in contravention of the provisions of sub-section (3) shall be liable to a fine not exceeding five hundred rupees.

118. (1) No director shall, as a director, vote on any contract or arrangement in which he is either directly or indirectly concerned or interested nor shall his presence count for the purpose of forming a quorum at the time of any such vote; and if he does so vote, his vote shall not be counted:

Prohibition of voting by interested director.

Provided that the directors or any of them may vote on any contract of indemnity against any loss which they or any one or more of them may suffer by reason of becoming or being sureties or surety for the company.

(2) Every director who contravenes the provisions of sub-section (1) shall be liable to a fine not exceeding one thousand rupees.

(3) This section shall not apply to a private company :

Provided that where a private company is a subsidiary company of a public company, this section shall apply to all contracts or arrangements made on behalf of the subsidiary company with any person other than the holding company.

119. (1) Where a company enters into a contract for the appointment of a manager or managing agent of the company, in which contract any director of the company is directly or indirectly concerned or interested, or varies any such existing contract, the company shall within twenty-one days from the date of entering into the contract or the varying of the contract, send an

Disclosure to members in case of contract appointing a manager or managing agent.

abstract of the terms of such contract or variation, as the case may be, together with a memorandum clearly indicating the nature of the interest of the director in such contract, or in such variation to every member; and the contract shall be open to the inspection of any member at the registered office of the company.

(2) If a company makes default in complying with the requirements of sub-section (1) it shall be liable to a fine not exceeding one thousand rupees; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Contracts by agent of company in which company is undisclosed principal.

120. (1) Every manager or other agent of a company other than a private company not being the subsidiary company of a public company who enters into a contract for or on behalf of the company in which contract the company is an undisclosed principal shall, at the time of entering into the contract, make a memorandum in writing of the terms of the contract, and specify therein the person with whom it has been made.

(2) Every such manager or other agent shall forthwith deliver the memorandum aforesaid to the company and send copies to the directors, and such memorandum shall be filed in the office of the company and laid before the directors at the next directors' meeting.

(3) If any such manager or other agent makes default in complying with the requirements of this section,

(*a*) the contract shall, at the option of the company, be void as against the company, and

(*b*) such manager or other agent shall be liable to a fine not exceeding two hundred rupees.

Prospectus.

Filing of prospectus.

121. (1) Every prospectus issued by or on behalf of a company or in relation to any intended company shall be dated, and that date shall, unless the contrary be proved, be taken as the date of publication of the prospectus.

(2) A copy of every such prospectus, signed by every person who is named therein as a director or proposed director of the company, or by his agent authorised in writing, shall be filed for registration with the Registrar on or before the date of its publication, and no such prospectus shall be issued until a copy thereof has been so filed for registration.

(3) The Registrar shall not register any prospectus unless it is dated, and the copy thereof signed, in manner required by this section.

(4) Every prospectus shall state on the face of it that a copy has been filed for registration as required by this section.

(5) If a prospectus is issued without a copy thereof being so filed the company, and every person who is knowingly a party to the issue of the prospectus, shall be liable to a fine not exceeding fifty rupees for every day from the date of the issue of the prospectus until a copy thereof is so filed.

122. (1) Every prospectus issued by or on behalf of a company, or by or on behalf of any person who is or has been engaged or interested in the formation of the company, shall state:—

Specific requirements as to particulars of prospectus.

(a) the contents of the memorandum, with the names, descriptions and addresses of the signatories and the number of shares subscribed for by them respectively; and the number of founders or management or deferred shares (if any) and the nature and extent of the interest of the holders in the property and profits of the company and the number of redeemable preference shares intended to be issued with the date or where no date is fixed, the period of notice required and the proposed method of redemption; and

(b) the number of shares (if any) fixed by the articles as the qualification of a director, and any provision in the articles as to the remuneration of the directors; and

(c) the names, descriptions and addresses of the directors or proposed directors and of the managers or proposed managers and managing agents or proposed managing agents (if any) and any provision in the articles or in any contract as to the appointment of managers or managing agents and the remuneration payable to them; and

(d) the minimum subscriptions on which the directors may proceed to allotment, and the amount payable on application and allotment on each share; and in case of a second or subsequent offer of shares the amount offered for subscription on each previous allotment made within the two preceding years, and the amount actually allotted and the amount (if any) paid on the shares so allotted; and

(e) the number and amount of shares, and debentures which within the two preceding years have been issued, or agreed to be issued as fully or partly paid up otherwise than in cash, and in the latter case the extent to which they are so paid up and in either case the consideration for which those shares or debentures have been issued or agreed to be issued; and

(f) where any issue of shares or debentures is underwritten, the names of the underwriters, and the opinion of the directors that the resources of the underwriters are sufficient to discharge the underwriting obligations; and

(g) the names and addresses of the vendors of any property purchased or acquired by the company or proposed so to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue offered for subscription by the prospectus, or the purchase or acquisition of which has not been completed at the date of issue of the prospectus, and the amount payable in cash, shares or debentures to the vendor, and where there is more than one separate vendor or the company is a sub-purchaser, the amount so payable to each vendor:

Provided that where the vendors or any of them are a firm, the members of the firm shall not be treated as separate vendors; and

(*h*) where any property referred to in clause (*g*) has within the two years preceding the issue of the prospectus been transferred by sale, the amount paid by the purchaser at each such transfer so far as the information is available and, where any such property is a business, the profits accruing from such business during each of the three years immediately preceding the issue of the prospectus or during each year of the existence of the business if less than three years so far as the information is available. A balance sheet of the business concerned made up to a date not more than ninety days before the date of the issue of the prospectus shall be appended to the prospectus; and

(*i*) the amount (if any) paid or payable as purchase money in cash, shares or debentures, for any such property as aforesaid, specifying the amount (if any) payable for goodwill; and

(*j*) the amount (if any) paid within the two preceding years or payable, as commission for subscribing or agreeing to subscribe or procuring or agreeing to procure subscriptions, for any shares in or debentures of, the company, or as discount in respect of shares issued, showing separately the amount, if any, so paid to the managing agents:

Provided that it shall not be necessary to state the commission payable to sub-under-writers; and

(*k*) the amount or estimated amount of preliminary expenses; and

(*l*) the amount paid within the two preceding years or intended to be paid to any promoter, and the consideration for any such payment; and

(*m*) the dates of, and parties to, every material contract including contracts relating to the acquisition of property to which clause (*g*) applies and a reasonable time and place at which any material contract or a copy thereof may be inspected:

Provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the company or to any contract (except a contract appointing or fixing the remuneration of a managing director or managing agent) entered into more than two years before the date of issue of the prospectus; and

(*n*) the names and addresses of the auditors (if any) of the company; and

(*o*) full particulars of the nature and extent of the interest (if any) of every director in the promotion of, or in the property proposed to be acquired by, the company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become or to qualify him as a director, or otherwise for services rendered by him or by the firm in connection with the promotion or formation of the company; and

(*p*) where the company is a company having shares of more than one class, the right of voting at meetings of the company conferred by

and the rights in respect of capital and dividends attached to the several classes of shares respectively; and

(q) where the articles of the company impose any restrictions upon the members of the company in respect of the right to attend, speak or vote at meetings of the company or of the right to transfer shares, or upon the directors of the company in respect of their powers of management, the nature and extent of those restrictions; and

(r) where any part of the sums required for the matters set out in sub-section (2) of Section 131 is to be provided out of sources other than share capital, particulars of the amount to be so provided and the sources thereof.

(2) Where the prospectus issued by a company which has been carrying on business prior to the issue thereof the prospectus shall set out the following reports in addition to the matters referred to in sub-section (1), namely:—

(i) a report by the auditors of the company with respect to the profits of the company including its subsidiary companies, if any, so far as the information is available in each of the three financial years immediately preceding the issue of the prospectus and with respect to the rates of the dividends, if any, paid by the company on each class of shares in the company for each of the said three years giving particulars of each such class of shares on which such dividends have been paid and the source from which the dividends have been paid and particulars of the cases in which no dividends have been paid on any class of shares for any of those years, and if no accounts have been made up for any part of a period of three years ending on a date three months before the issue of the prospectus, containing a statement of that fact;

(ii) if the proceeds or any part of the proceeds of the issue of the shares or debentures are or is to be applied directly or indirectly in the purchase of any business, a report made by an accountant or accountants holding the certificate referred to in Section 182 who shall be named in the prospectus upon the profits of the business in respect of each of the three financial years immediately preceding the issue of the prospectus:

Provided that if, in the case of a company which has been carrying on business for less than three years the accounts of the company have been made up only in respect of two years or any shorter period this sub-section shall have effect as if references to two years or such shorter period were substituted for references to three years.

(3) The statement referred to in clause (h) of sub-section (1) and the report referred to in sub-section (2) with respect to the profits of a company or business shall show clearly the trading results and all charges and expenses incidental thereto excluding income or profits having no relation to the trading for the period covered and excluding also items of profit or income of a non-recurring nature but including amounts appropriated from profits to such purposes as payment of taxation or reserves.

(4) Where any such prospectus as is mentioned in this section

is published as a newspaper advertisement, it shall not be necessary in the advertisement to specify the contents of the memorandum, or the signatories thereto, and the number of shares subscribed for by them.

(5) This section shall not apply to a circular or notice inviting existing members or debenture-holders of a company to subscribe either for shares or for debentures of the company, whether with or without the right to renounce in favour of other persons.

(6) The requirements of this section as to the memorandum and the qualification, remuneration and interest of directors, the names, descriptions and addresses of directors, or proposed directors, and of managers or proposed managers, and of managing agents or proposed managing agents (if any) and the amount or estimated amount of preliminary expenses, shall not apply in the case of a prospectus issued more than one year after the date at which the company is entitled to commence business:

Provided that the said requirements, except the requirements as to the amount or estimated amount of preliminary expenses shall apply to a prospectus filed in pursuance of Section 195.

(7) Nothing in this section shall limit or diminish any liability which any person may incur under the general law or this Regulation apart from this section.

Meaning of 'Vendor' in Section 122.

123. For the purposes of Section 122 every person shall be deemed to be a vendor who has entered into any contract, absolute or conditional, for the sale or purchase, or for any option of purchase, of any property to be acquired by the company, in any case where—

(*a*) the purchase-money is not fully paid at the date of issue of the prospectus ; or

(*b*) the purchase-money is to be paid or satisfied wholly or in part out of the proceeds of the issue offered for subscription by the prospectus ; or

(*c*) the contract depends for its validity or fulfilment on the result of that issue.

Application of Section 122 to the case of property taken on lease.

124. Where any of the property to be acquired by the company is to be taken on lease, Section 122 shall apply as if the expression "vendor" included the lessor, and the expression "purchase-money" included the consideration for the lease, and the expression "sub-purchaser" included a sub-lessee.

Invalidity of certain conditions as to waiver or notice.

125. (1) Any condition requiring or binding any applicant for shares or debentures to waive compliance with any requirements of Section 122 or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus, shall be void.

(2) It shall not be lawful to issue any form of application for the shares in or debentures of a company unless the form is issued with a prospectus which complies with the requirements of Section 122 :

Provided that this sub-section shall not apply if it is shown that

the form of application was issued either

(a) in connection with a bonafide invitation to a person to enter into an under-writing agreement with respect to the shares or debentures; or

(b) in relation to shares or debentures which were not offered to the public.

If any person acts in contravention of the provisions of this sub-section, he shall be liable to a fine not exceeding five hundred rupees.

Saving in certain cases of non-compliance with Section 122.

126. (1) If a prospectus is issued which does not comply with the provisions of Section 122, every person who is knowingly responsible for the issue of such prospectus shall be liable to a fine not exceeding fifty rupees for every day from the day of the issue of the prospectus until a copy complying with the requirements of Section 122 is filed.

(2) In the event of non-compliance with or contravention of any of the requirements of Section 122, a director or other person responsible for the prospectus shall not incur any liability by reason of the non-compliance or contravention --

(a) if he proves that as regards any matter not disclosed, he was not cognisant thereof or;

(b) if he proves that the non-compliance or contravention arose from an honest mistake of fact on his part; or

(c) if the non-compliance or contravention was in respect of matters which in the opinion of the Court were immaterial, or was otherwise such as ought in the opinion of the Court having regard to all the circumstances of the case reasonably to be excused:

Provided that, in the event of non-compliance with or contravention of the requirements contained in clause (o) of sub-section (1) of Section 122, no such director or other person shall incur any liability in respect of the non-compliance or contravention unless it be proved that he had knowledge of the matters not disclosed.

Obligations of companies where no prospectus is issued.

127. (1) A company which does not issue a prospectus on or with reference to its formation shall not allot any of its shares or debentures unless before the first allotment of either shares or debentures there has been filed with the Registrar a statement in lieu of prospectus signed by every person who is named therein as a director or a proposed director of the company or by his agent authorised in writing, in the form and containing the particulars set out in the form marked "I" in Second Schedule.

(2) This section shall not apply to a private company or to a company which has allotted any shares or debentures before the commencement of this Regulation or, in so far as it relates to the allotment of shares to a company limited by guarantee and not having a share capital

128. (1) Where a company allots or agrees to allot any shares in or debentures of the company with a view to all or any of those shares or debentures being offered for sale to the public, any document by which the offer for sale to the public is made shall, for all purposes, be deemed to be a prospectus issued by the company and all enactments and rules of law as to the contents of prospectuses and to liability in respect of statements in and omission from prospectuses or otherwise relating to prospectuses shall apply and have effect accordingly as if the shares or debentures had been offered to the public for subscription and as if persons accepting the offer in respect of any shares or debentures were subscribers for those shares or debentures but without prejudice to the liability, if any, of the persons by whom the offer is made in respect of mis-statements contained in the document or otherwise in respect thereof.

Document offering shares or debentures for sale to be deemed a prospectus.

(2) For the purposes of this Regulation it shall, unless the contrary is proved, be evidence that an allotment of or an agreement to allot shares or debentures was made with a view to the shares or debentures being offered for sale to the public, if it is shown—

(*a*) that an offer of the shares or debentures or of any of them for sale to the public was made within six months after the allotment or agreement to allot; or

(*b*) that at the date when the offer was made the whole of the consideration to be received by the company in respect of the shares or debentures had not been so received.

(3) Section 126 shall apply to the person or persons making the offer as though they were persons named in a prospectus as directors of a company, and the provisions of Section 122 shall have effect as if it required a prospectus to state, in addition to the matters required by that section to be stated in a prospectus,

(*a*) the net amount of the consideration received or to be received by the company in respect of the shares or debentures to which the offer relates and

(*b*) the place and time at which the contract under which the said shares or debentures have been or are to be allotted may be inspected.

(4) Where a person making an offer to which this section relates is a company or a firm, it shall be sufficient if the document aforesaid is signed on behalf of the company or firm by all directors of company or not less than half of the partners, as the case may be, and any such director or partner may sign by his agent authorised in writing.

Restriction on alteration of terms mentioned in prospectus or statement in lieu of prospectus.

129. A company shall not, at any time, vary the terms of a contract referred to in the prospectus or statement in lieu of prospectus, except subject to the approval of the company in general meeting.

Liability for statements in prospectus.

130. (1) Where a prospectus invites persons to subscribe for shares in or debentures of a company, every person who is a director of the company at the time of the issue of the prospectus and every person who has authorised the naming of himself and is named in the prospectus as a director or as having agreed to become a director either immediately or after an interval of time, and every promoter of the company and every person who has authorised the issue of the prospectus, shall be liable to pay compensation to all persons who subscribe for any shares or debentures on the faith of the prospectus for all loss or damage they may have sustained by reason of any misleading or untrue statement therein, or in any report or memorandum appearing on the face thereof, or by reference incorporated therein or issue therewith, unless it is proved,

(*a*) with respect to every misleading or untrue statement not purporting to be made on the authority of an expert or of a public official document or statement, that he had reasonable ground to believe and did up to the time of the allotment of the shares or debentures, as the case may be, believe that the statement fairly represented the facts or was true;

(*b*) with respect to every misleading or untrue statement purporting to be a statement by or contained in what purports to be a copy of or extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation:

Provided that the director, person named as director, promoter or person who authorised the issue of the prospectus shall be liable to pay compensation as aforesaid if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; and

(*c*) with respect to every misleading or untrue statement purporting to be a statement made by an official person or contained in what purports to be a copy or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document;

or unless it is proved

(i) that having consented to become a director of the company he withdrew his consent before the issue of the prospectus, and that it was issued without his authority or consent; or

(ii) that the prospectus was issued without his knowledge or consent, and that, on becoming aware of its issue, he forthwith gave a reasonable public notice that it was issued without his knowledge or consent; or

(iii) that, after the issue of the prospectus and before allotment thereunder, he, on becoming aware of any misleading or untrue statement therein, withdrew his consent thereto, and gave reasonable public notice of the withdrawal, and of the reason therefor.

(2) Where a company existing at the commencement of this

Regulation has issued shares or debentures, and for the purpose of obtaining further capital by subscriptions for shares or debentures issues a prospectus, a director shall not be liable in respect of any statement therein unless he has authorised the issue of the prospectus, or has adopted or ratified it.

(3) Where the prospectus contains the name of a person as a director of the company, or as having agreed to become a director thereof, and he has not consented to become a director or has withdrawn his consent before the issue of the prospectus, and has not authorised or consented to the issue thereof, the directors of the company, except any without whose knowledge or consent the prospectus was issued, and any other person who authorised the issue thereof shall be liable to indemnify the person named as aforesaid against all damages, costs and expenses to which he may be made liable by reason of his name having been inserted in the prospectus, or in defending himself against any suit or legal proceedings brought against him in respect thereof.

(4) Every person who, by reason of his being a director or named as a director or as having agreed to become a director or of his having authorised the issue of the prospectus, becomes liable to make any payment under this section, may recover contribution, as in cases of contract from any other person who, if sued separately, would have been liable to make the same payment, unless the person who has become so liable was, and that other person was not, guilty of fraudulent misrepresentation.

(5) For the purposes of this section—

(*a*) the expression "promoter" means a promoter who was a party to the preparation of the prospectus, or the portion thereof containing the misleading or untrue statement, but does not include any person by reason of his acting in a professional capacity for persons engaged in procuring the formation of the company;

(*b*) the expression "expert" includes engineer, valuer, accountant and any other person whose profession gives authority to a statement made by him.

Allotment.

Restriction as to allotment.

131. (1) No allotment shall be made of any share capital of a company offered to the public for subscription unless the amount stated in the prospectus as the minimum amount which in the opinion of the directors must be raised by the issue of share capital in order to provide the sums, or if any part thereof is to be defrayed in any other manner, the balance of the sum required to be provided in respect of the matters specified in sub-section (2) has been subscribed, and the sum of at least five per cent. thereof has been paid to or received in cash by the company.

(2) The matters for which provision for the raising of a minimum amount of share capital must be made by the directors are the following, namely :—

(*a*) the purchase price of any property purchased or to be purchased which is to be defrayed in whole or in part out of the proceeds of the issue,

(*b*) any preliminary expenses payable by the company and any commission so payable to any person in consideration of his agreeing to subscribe for or of his procuring or agreeing to procure subscriptions for any shares in the company,

(*c*) the repayment of any moneys borrowed by the company in respect of any of the foregoing matters, and

(*d*) working capital.

(3) The amount referred to in sub-section (1) as the amount stated in the prospectus shall be reckoned exclusively of any amount payable otherwise than in cash and is in this Regulation referred to as the minimum subscription.

(4) All moneys received from applicants for shares shall be deposited and kept in a bank approved and notified by Our Government until returned in accordance with the provisions of sub-section (7) or until the certificate to commence business is obtained under Section 138.

(5) In the event of any contravention of the provisions of sub-section (4) every promoter, director or other person knowingly responsible for such contravention shall be liable to a fine not exceeding five hundred rupees.

(6) The amount payable on application on each share shall not be less than five per cent. of the nominal amount of the share.

(7) If the conditions aforesaid have not been complied with on the expiration of one hundred and eighty days after the first issue of the prospectus all money received from applicants for shares shall be forthwith repaid to them without interest, and if any such money is not so repaid within one hundred and ninety days after the issue of the prospectus, the directors of the company shall be jointly and severally liable to repay that money with interest at the rate of seven per cent. per annum from the expiration of the one hundred and ninetieth day:

Provided that a director shall not be liable if he proves that the loss of the money was not due to any misconduct or negligence on his part.

(8) Any condition requiring or binding any applicant for shares to waive compliance with any requirement of this section shall be void.

(9) This section, except sub-section (6) thereof, shall not apply to any allotment of shares subsequent to the first allotment of shares offered to the public for subscription.

(10) In the case of the first allotment of share capital payable in cash of a company which does not issue any invitation to the public to subscribe for its shares, no allotment shall be made unless the minimum subscription (that is to say)—

(*a*) the amount (if any) fixed by the memorandum or articles and named in the statement in lieu of prospectus as the minimum subscription upon which the directors may proceed to allotment, or

(*b*) if no amount is so fixed and named, the whole amount of the share capital other than that issued or agreed to be issued as fully or partly paid up otherwise than in cash;

has been subscribed and an amount not less than five per cent. of the nominal amount of each share payable in cash has been paid to and received by the company.

(11) Sub-section (10) shall not apply to a private company or to a company which has allotted any shares or debentures before the commencement of this Regulation.

Effect of irregular allotment.

132. (1) An allotment made by a company to an applicant in contravention of the provisions of Section 127 or Section 131 shall be voidable at the instance of the applicant within one month after the holding of the statutory meeting of the company and not later or in any case where the company is not required to hold a statutory meeting or where the allotment is made after the holding of the statutory meeting within one month after the date of the allotment and not later, and shall be so voidable notwithstanding that the company is in course of being wound up.

(2) If any director of a company knowingly contravenes or permits or authorises the contravention of any of the provisions of Section 127 or Section 131 with respect to allotment, he shall be liable to compensate the company and the allottee respectively for any loss, damages or costs which the company or the allottee may have sustained or incurred thereby :

Provided that proceedings to recover any such loss, damages or costs shall not be commenced after the expiration of two years from the date of the allotment.

Restrictions on commencement of business.

133. (1) A company shall not commence any business or exercise any borrowing powers unless

(*a*) shares held subject to the payment of the whole amount thereof in cash have been allotted to an amount not less in the whole than the minimum subscription ; and

(*b*) every director of the company has paid to the company on each of the shares taken or contracted to be taken by him and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares offered for public subscription or, in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, on the shares payable in cash , and

(*c*) there has been filed with the Registrar a duly verified declaration by the secretary or one of the directors, in the prescribed form, that the aforesaid conditions have been complied with and

(*d*) in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, there has been filed with the Registrar a statement in lieu of prospectus.

(2) The Registrar shall, on the filing of a duly verified declaration in accordance with the provisions of this section, certify that the company is entitled to commence business, and that certificate shall be conclusive evidence that the company is so entitled :

Provided that, in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, the Registrar shall not give such a certificate unless a statement in lieu of prospectus has been filed with him.

(3) Any contract made by a company before the date at which it is entitled to commence business shall be provisional only, and shall not be binding on the company until that date, and on that date it shall become binding.

(4) Nothing in this section shall prevent the simultaneous offer for subscription or allotment of any shares and debentures or the receipt of any money payable on application for debentures.

(5) If any company commences business or exercises borrowing powers in contravention of this section, every person who is responsible for the contravention shall, without prejudice to any other liability, be liable to a fine not exceeding five hundred rupees for every day, during which the contravention continues.

(6) Nothing in this section shall apply to a private company, or to a company registered before the commencement of this Regulation which does not issue a prospectus inviting the public to subscribe for its shares or in so far as its provisions relate to shares, to a company limited by guarantee and not having a share capital.

Return as to allotments.

134. (1) Whenever a company having a share capital makes any allotment of its shares, the company shall, within one month thereafter:—

(*a*) file with the Registrar a return of the allotments, stating the number and nominal amount of the shares comprised in the allotment, the names, addresses and descriptions of the allottees, and the amount (if any) paid or due and payable on each share; and

(*b*) in the case of shares allotted as fully or partly paid up otherwise than in cash, produce for the inspection and examination of the Registrar a contract in writing constituting the title of the allottee to the allotment together with any contract of sale, or for services or other consideration in respect of which that allotment was made, such contracts being duly stamped, and file with the Registrar copies verified in the prescribed manner of all such contracts and a return stating the number and nominal amount of shares so allotted, the extent to which they are to be treated as paid up, and the consideration for which they have been allotted.

(2) Where such a contract as above mentioned is not reduced to writing, the company shall, within one month after the allotment, file with the Registrar the prescribed particulars of the contract stamped with the same stamp duty as would have been payable if the contract had been reduced to writing, and these particulars shall be deemed to be an instrument within the meaning of the Travancore Stamp Regulation IV of 1080, and the Registrar may, as a condition of filing the particulars, require that the duty payable thereon be adjudicated under Section 33 of that Regulation.

(3) If default is made in complying with the requirements of this section, every officer of the company who is knowingly a party to the default shall be liable to a fine not exceeding five hundred rupees for every day during which the default continues:

Provided that in case of default in filing with the Registrar within one month after the allotment any document required to be filed by this section, the company, or any person liable for the default, may apply to the Court for relief, and the Court, if satisfied that the omission to file the document was accidental or due to inadvertence or that on other grounds it is just and equitable to grant relief, may, make an order extending the time for the filing of the document for such a period as the Court may think proper.

(4) Nothing in this section shall apply to the issue and allotment by a company of shares which under the provisions of its articles were forfeited for non-payment of calls.

Commissions and Discounts.

Power to pay certain commissions and prohibition of payment of all other commissions, discounts, etc.

135. (1) It shall be lawful for a company to pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares in the company, or procuring or agreeing to procure subscriptions whether absolute or conditional, for any shares in the company, if the payment of the commission is authorised by the articles and the commission paid or agreed to be paid does not exceed the amount or rate so authorised and if the amount or rate per cent. of the commission paid or agreed to be paid is—

(*a*) in the case of shares offered to the public for subscription, disclosed in the prospectus; or

(*b*) in the case of shares not offered to the public for subscription disclosed in the statement in lieu of prospectus, or in a statement in the prescribed form signed in like manner as a statement in lieu of prospectus and filed with the Registrar and, where a circular or notice not being a prospectus inviting subscription for the shares is issued also disclosed in that circular or notice.

(2) Save as aforesaid and save as provided in Section 136 no company shall apply any of its shares or capital money either directly or indirectly in payment of any commission, discount or allowance, to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally, for any shares of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional for any shares in the company, whether the shares or money be so applied by being added to the purchase-money of any property acquired by the company, or to the contract price of any work to be executed for the company, or the money be paid out of the nominal purchase-money or contract price, or otherwise.

(3) Nothing in this section, shall affect the power of any company to pay such brokerage as it has heretofore been lawful for a company to pay, and a vendor to, promoter of, or other person who receives payment in money or shares from, a company shall have and shall be deemed always to have had power to apply any part of the money or shares so received in payment of any commission, the payment of which, if made directly by the company, would have been legal under this section.

Power to issue shares at a discount.

136. (1) Subject to the provisions of this section it shall be lawful for a company to issue at a discount shares in the company of a class already issued :

Provided that—

(*a*) the issue of the shares at a discount must be authorised by resolution passed in general meeting of the company and must be sanctioned by the Court ;

(*b*) the resolution must specify the maximum rate of discount (not exceeding ten per cent. in any case) at which shares are to be issued ;

(*c*) not less than one year must at the date of issue have elapsed since the date on which the company was entitled to commence business ;

(*d*) the shares to be issued at a discount must be issued within six months after the date on which the issue is sanctioned by the Court or within such extended time as the Court may allow.

(2) Every prospectus relating to the issue of the shares and every balance-sheet issued by the company subsequently to the issue of the shares must contain particulars of the discount allowed on the issue of the shares or of so much of that discount as has not been written off at the date of the issue of the document in question.

(3) If default is made in complying with sub-section (2), the company and every officer of the company who is in default shall be liable to a fine not exceeding fifty rupees.

Issue of redeemable preference shares.

137. (1) Subject to the provisions of this section, a company limited by shares may if so authorised by its articles issue preference shares which are, or at the option of the company are to be, liable to be redeemed :

Provided that—

(*a*) no such shares shall be redeemed except out of profits of the company which would otherwise be available for dividend or out of the proceeds of a fresh issue of shares made for the purposes of the redemption or out of sale proceeds of any property of the company ;

(*b*) no such shares shall be redeemed unless they are fully paid ;

(*c*) where any such shares are redeemed otherwise than out of the porceeds of a fresh issue, there shall out of profits which would otherwise have been available for dividend be transferred to a reserve fund, to be called "the capital redemption reserve fund", a sum equal to the amount applied in redeeming the shares, and the provisions of

this Regulation relating to the reduction of the share capital of a company shall, except as provided in this section, apply as if the capital redemption reserve fund were paid-up share capital of the company :

(*d*) where any such shares are redeemed out of the proceeds of a fresh issue, the premium, if any, payable on redemption must have been provided for out of the profits of the company before the shares are redeemed.

(2) There shall be included in every balance-sheet of a company which has issued redeemable preference shares a statement specifying what part of the issued capital of the company consists of such shares and the date on or before which those shares are, or are to be, liable to be redeemed or, where no definite date is fixed for redemption the period of notice to be given for redemption.

If a company fails to comply with the provisions of this sub-section, the company and every officer of the company who is in default shall be liable to a fine not exceeding one thousand rupees.

(3) Subject to the provisions of this section, the redemption of preference shares thereunder may be effected on such terms and in such manner as may be provided by the articles of the company.

(4) Where in pursuance of this section a company has redeemed or is about to redeem any preference shares, it shall have power to issue shares up to the nominal amount of the shares redeemed or to be redeemed as if those shares had never been issued, and accordingly the share capital of the company shall not for the purpose of calculating the fees payable under Section 307 be deemed to be increased by the issue of shares in pursuance of this sub-section :

Provided that, where new shares are issued before the redemption of the old shares, the new shares shall not, so far as relates to stamp duty, be deemed to have been issued in pursuance of this sub-section unless the old shares are redeemed within one month after the issue of the new shares.

(5) Where new shares have been issued in pursuance of the last foregoing sub-section, the capital redemption reserve fund may, notwithstanding anything in this section, be applied by the company, up to an amount equal to the nominal amount of the shares so issued, in paying up unissued shares of the company to be issued to members of the company as fully paid bonus shares.

Further issue of capital.

138. Where the directors decide to increase the capital of the company by the issue of further shares, such shares shall be offered to the members in proportion to the existing shares held by each member (irrespective of class) and such offer shall be made by notice specifying the number of shares to which the member is entitled, and limiting a time within which the offer, if not accepted, will be deemed to be declined ; and after the expiration of such time, or on receipt of an intimation from the member to whom such notice is given, that he declines to accept the shares offered, the directors may dispose of the same in such manner as they think most beneficial to the company.

139. Where a company has paid any sums by way of commission in respect of any shares or debentures or allowed any sums by way of discount in respect of any debentures the total amounts so paid or allowed or so much thereof as has not been written off shall be stated in every balance-sheet of the company until the whole amount thereof has been written off.

Statement in balance sheet as to commissions and discounts.

Payment of interest out of capital.

140. Where any shares of a company are issued for the purpose of raising money to defray the expenses of the construction of any works or buildings or the provision of any plans which cannot be made profitable for a lengthened period, the company may pay interest on so much of that share capital as is for the time being paid up for the period and subject to the conditions in this section mentioned, and may charge the same to capital as part of the cost of construction of the work or building, or the provision of plant:

Power of company to pay interest out of capital in certain cases.

Provided that—

(1) no such payment shall be made unless the same is authorised by the articles or by special resolution;

(2) no such payment, whether authorised by the articles or by special resolution, shall be made without the previous sanction of Our Government, which sanction shall be conclusive evidence for the purposes of this section that the shares of the company, in respect of which such sanction is given, have been issued for a purpose specified in this section;

(3) before sanctioning any such payment, Our Government may, at the expense of the company, appoint a person to inquire and report to Our Government as to the circumstances of the case, and may, before making the appointment, require the company to give security for the payment of the costs of the inquiry;

(4) the payment shall be made only for such period as may be determined by Our Government and such period shall in no case extend beyond the close of the half-year next after the half-year during which the works or buildings have been actually completed or the plant provided;

(5) the rate of interest shall in no case exceed four per cent. per annum or such lower rate as Our Government may, by notification in Our Government Gazette, prescribe;

(6) the payment of the interest shall not operate as a reduction of the amount paid up on the shares in respect of which it is paid;

(7) the accounts of the company shall show the share capital on which, and the rate at which, interest has been paid out of capital during the period to which the accounts relate.

Certificates of shares, etc.

Limitation of time for issue of certificates

141. (1) Every company shall, within three months after the allotment of any of its shares, debentures or debenture stock, and within three months after the registration or the transfer of any such shares, debentures or debenture stock, complete and have ready for delivery the certificates of all shares, the debentures and certificates of all debenture stock allotted or transferred, unless the conditions of issue of the shares, debentures or debenture stock otherwise provide.

(2) If default is made in complying with the requirements of this section the company, and every officer of the company who is knowingly a party to the default, shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Information as to mortgages, charges, etc.

Certain mortgages and charges to be void if not registered.

142 (1) Every mortgage or charge created after the commencement of this Regulation by a company and being either—

(a) a mortgage or charge for the purpose of securing any issue of debentures or

(b) a mortgage or charge on uncalled share capital of the company; or

(c) a mortgage or charge on any immovable property wherever situate or any interest therein; or

(d) a mortgage or charge, on any book debts of the company; or

(e) a mortgage or charge, not being a pledge on any movable property of the company except stock-in-trade; or

(f) a floating charge on the undertaking or property of the company;

shall, so far as any security on the company's property or undertaking is thereby conferred, be void against the liquidator and any creditor of the company, unless the prescribed particulars of the mortgage or charge, together with the instrument (if any) by which the mortgage or charge is created or evidenced, or a copy thereof verified in the prescribed manner are filed with the Registrar for registration in manner required by this Regulation within twenty-one days after the date of its creation, but without prejudice to any contract or obligation for repayment of the money thereby secured, and when a mortgage or charge becomes void under this section, the money secured thereby shall immediately become payable:

Provided that—

(i) in the case of a mortgage or charge created out of Travancore comprising solely property situate outside Travancore, twenty-one days after the date on which the instrument or copy could, in due course of post and if despatched with due diligence, have been received in Travancore shall be substituted for twenty-one days after the date of the creation of the mortgage or charge, as the time within which the particulars and instrument or copy are to be filed with the Registrar; and

(ii) where the mortgage or charge is created in Travancore but comprises property outside Travancore, the instrument creating or purporting to create the mortgage or charge or a copy thereof verified in the prescribed manner may be filed for registration notwithstanding that further proceedings may be necessary to make the mortgage or charge valid or effectual according to the law of the country in which the property is situate; and

(iii) where a negotiable instrument has been given to secure the payment of any book debts of a company, the deposit of the instrument for the purpose of securing an advance to the company shall not for the purposes of this section be treated as a mortgage or charge on those book debts; and

(iv) the holding of debentures entitling the holder to a charge on immovable property shall not be deemed to be an interest in immovable property.

(2) Where any mortgage or charge on any property of a company required to be registered under this section has been so registered, any person acquiring such property or any part thereof, or any share or interest therein, shall be deemed to have notice of the said mortgage or charge as from the date of such registration.

Registration of charges on properties acquired subject to charges.

143. (1) Where after the commencement of this Regulation, a company registered in Travancore acquires any property which is subject to a charge of any such kind as would, if it had been created by the company after the acquisition of the property, have been required to be registered under this Part, the company shall cause the prescribed particulars of the charge, together with a copy (certified in the prescribed manner to be a correct copy) of the instrument, if any, by which the charge was created or is evidenced, to be delivered to the Registrar for registration in manner required by this Regulation within twenty-one days after the date on which the acquisition is completed:

Provided that, if the property is situate and the charge was created outside Travancore, twenty-one days after the date on which the copy of the instrument could, in due course of post and if despatched with due diligence, have been received in Travancore shall be substituted for twenty-one days after the completion of the acquisition as the time within which the particulars and the copy of the instrument are to be delivered to the Registrar.

(2) If default is made in complying with this section, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine of five hundred rupees.

Particulars in case of series of debentures entitling holders *pari passu*.

144. Where a series of debentures containing, or giving, by reference to any other instrument, any charge to the benefit of which the debenture-holders of that series are entitled *pari passu* is created by a company, it shall be sufficient for the purposes of Section 142 if there are filed with the Registrar within twenty-one days after the execution of the deed containing the charge or, if there is no such deed, after the execution of any debentures of series, the following particulars:—

(*a*) the total amount secured by the whole series ; and

(*b*) the dates of the resolutions authorising the issue of the series and the date of the covering deed (if any) by which the security is created or defined ; and

(*c*) a general description of the property charged ; and

(*d*) the names of the trustees (if any) for the debenture-holders together with the deed or a copy thereof verified in the prescribed manner containing the charge, or if there is no such deed, one of the debentures of the series, and the Registrar shall, on payment of the prescribed fee, enter those particulars in the register :

Provided that, where more than one issue is made of debentures in the series, there shall be filed with the Registrar for entry in the register particulars of the date and amount of each issue, but an omission to do this shall not affect the validity of the debentures issued.

Particulars in case of commission, etc., on debentures.

145. Where any commission, allowance or discount has been paid or made either directly or indirectly by the company to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any debentures of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any such debentures, the particulars required to be filed for registration under Sections 142 and 144 shall include particulars as to the amount or rate per cent. of the commission, discount or allowance so paid or made, but an omission to do this shall not affect the validity of the debentures issued :

Provided that the deposit of any debentures as security for any debt of the company shall not for the purposes of this provision be treated as the issue of the debentures at a discount.

Register of mortgages and charges.

146. (1) The Registrar shall keep, with respect to each company, a register in the prescribed form of all mortgages and charges created by the company after the commencement of this Regulation and requiring registration under Section 142 and shall, on payment of the prescribed fee, enter in the register, with respect to every such mortgage or charge, the date of creation, the amount secured by it, short particulars of the property mortgaged or charged and the names of the mortgagees or persons entitled to the charge.

(2) After making the entry required by sub-section (1) the Registrar shall return the instrument (if any) or the verified copy thereof, as the case may be, filed in accordance with the provisions of Section 142 or Section 144 to the person filing the same.

(3) The register kept in pursuance of this section shall be open to inspection by any person on payment of the prescribed fee, not exceeding one rupee for each inspection.

Index to register of mortgages and charges.

147. The Registrar shall keep a chronological index, in the prescribed form and with the prescribed particulars, of the mortgages or charges registered with him under this Regulation.

148. The Registrar shall give a certificate under his hand of the registration of any mortgage or charge registered in pursuance of Section 142 stating the amount thereby secured, and the certificate shall be conclusive evidence that the requirements of Sections 142 to 146 as to registration have been complied with.

Certificate of registration.

149. The company shall cause a copy of every certificate of registration, given under Section 148, to be endorsed on every debenture or certificate of debenture stock which is issued by the company, and the payment of which is secured by the mortgage or charge so registered:

Endorsement of certificate of registration on debenture or certificate of debenture stock.

Provided that nothing in this section shall be construed as requiring a company to cause a certificate of registration of any mortgage or charge so given to be endorsed on any debenture or certificate of debenture stock which has been issued by the company before the mortgage or charge was created.

150. (1) It shall be the duty of the company to file with the Registrar for registration the prescribed particulars of every mortgage or charge created by the company and of the issues of debentures of a series requiring registration under Section 142 but registration of any such mortgage or charge may be effected on the application of any person interested therein.

Duty of company and right of interested party as regards registration.

(2) Where the registration is effected on the application of some person other than the company, that person shall be entitled to recover from the company the amount of any fees properly paid by him to the Registrar on the registration.

(3) Whenever the terms or conditions or extent or operation of any mortgage or charge registered under this section are modified, it shall be the duty of the company to send to the Registrar the particulars of such modification, and the provisions of this section as to registration of mortgage or charge shall apply to such modification of the mortgage or charge as aforesaid.

151. Every company shall cause a copy of every instrument creating any mortgage or charge requiring registration under Section 142 to be kept at the registered office of the company:

Copy of instrument creating mortgage or charge to be kept at registered office.

Provided that, in the case of a series of uniform debentures, a copy of one such debenture shall be sufficient.

152. (1) If any person obtains an order for the appointment of a receiver of the property of a company, or appoints such a receiver under any powers contained in any instrument, he shall, within fifteen days from the date of the order or of the appointment under the

Registration of appointment of receiver.

powers contained in the instrument, file notice of the fact with the Registrar, and the Registrar shall, on payment of the prescribed fee, enter the fact in the register of mortgages and charges.

(2) If any person makes default in complying with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Filing of accounts of receivers.

153. (1) Every receiver of the property of a company who has been appointed under the powers contained in any instrument, and who has taken possession, shall, once in every three months while he remains in possession, and also on ceasing to act as receiver, file with the Registrar an abstract in the prescribed form of his receipts and payments during the period to which the abstract relates; and shall also, on ceasing to act as receiver, file with the Registrar notice to that effect, and the Registrar shall enter the notice in the register of mortgages and charges.

(2) Where a receiver of the property of a company has been appointed, every invoice, order for goods or business letter issued by or on behalf of the company, or the receiver of the company, being a document on or in which the name of the company appears, shall contain a statement that a receiver has been appointed.

(3) If default is made in complying with the requirements o this section, the company and every director, manager, managing agent, secretary or other officer of the company and every receiver, who knowingly and wilfully authorises or permits the default, shall be liable to a fine not exceeding two hundred rupees.

Rectification of register of mortgages.

154. (1) The Court, on being satisfied that the omission to register a mortgage or charge within the time required by Section 142 or section 143 or that the omission or mis-statement of any particular with respect to any such mortgage or Charge, or the omission to give intimation to the Registrar of the payment or satisfaction of a debt for which a charge or mortgage was created, was accidental, or due to inadvertence or to some other sufficient cause, or is not of a nature to prejudice the position of creditors or share-holders of the company, or that on other grounds it is just and equitable to grant relief, may, on the application of the company or any person interested, and on such terms and conditions as seem to the Court just and expedient, order that the time for registration be extended, or, as the case may be, that the omission or mis-statement be rectified, and may make such orders as to the costs of the application as it thinks fit.

(2) Where the Court extends the time for the registration of a mortgage or charge, the order shall not prejudice any rights acquired

in respect of the property concerned prior to the time when the mortgage or charge is actually registered.

Registration of satisfaction of mortgages and charges.

155. (1) It shall be the duty of the company to give intimation to the Registrar of the payment or satisfaction of any charge or mortgage created by the company and requiring registration under Section 142 or Section 143 within twenty-one days from the date of the payment or satisfaction thereof.

(2) The Registrar shall on receipt of such intimation cause a notice to be sent to the mortgagee calling upon him to show cause within a time (not exceeding fourteen days) to be fixed by such notice why the payment or satisfaction of the charge or mortgage should not be recorded.

(3) The Registrar shall, if no cause is shown, order that a memorandum of satisfaction be entered on the register and shall if required furnish the company with a copy thereof.

(4) Where cause is shown, the Registrar shall record a note to that effect in the register, and shall inform the company that he has done so.

Penalties.

156. (1) If any company makes default in filing with the Registrar for registration the particulars :

(*a*) of any mortgage or charge created by the company ; or

(*b*) of the payment or satisfaction of a debt in respect of which a mortgage or charge has been registered under Section 142 or Section 143 ; or

(*c*) of the issues of debentures of a series requiring registration with the Registrar under the foregoing provisions of this Regulation, then, unless the registration has been effected on the application of some other person, the company, and every officer of the company or other person who is knowingly a party to the default shall be liable to a fine not exceeding five hundred rupees for every day during which the default continues.

(2) Subject as aforesaid, if any company makes default in complying with any of the requirements of this Regulation as to the registration with the Registrar of any mortgage or charge created by the company, the company and every officer of the company who knowingly and wilfully authorises or permits the default shall, without prejudice to any other liability, be liable to a fine not exceeding one thousand rupees.

(3) If any person knowingly and wilfully authorises or permits the delivery of any debenture or certificate of debenture stock requiring

registration with the Registrar under the foregoing provisions of this Regulation without a copy of the certificate of registration being endorsed upon it, he shall, without prejudice to any other liability, be liable to a fine not exceeding one thousand rupees.

Company's register of mortgages

157. (1) Every company shall keep a register of mortgages and enter therein all mortgages and charges specifically affecting property of the company and all floating charges on the undertaking or on any property of the company, giving in each case a short description of the property mortgaged or charged, the amount of the mortgage or charge and (except in the case of securities to bearer) the names of the mortgagees or persons entitled thereto.

(2) If any director, manager or other officer of the company knowingly and wilfully authorises or permits the omission of any entry required to be made in pursuance of this section, he shall be liable to a fine not exceeding five hundred rupees.

Right to inspect copies of instruments creating mortgages and charges and company's register of mortgages.

158. (1) The copies kept at the registered office of the company in pursuance of Section 151 of instruments creating any mortgage or charge requiring registration under this Regulation with the Registrar, and the register of mortgages kept in pursuance of Section 157 shall be open at all reasonable times to the inspection of any creditor or member of the company without fee, and the register of mortgages shall also be open to the inspection of any other person on payment of such fee, not exceeding one rupee for each inspection as the company may prescribe.

(2) If inspection of the said copies or register is refused, the company shall be liable to a fine not exceeding fifty rupees and a further fine not exceeding twenty rupees for every day during which the refusal continues, and every officer of the company who knowingly authorises or permits the refusal shall incur the like penalty, and in addition to the above penalty the Court may by order compel an immediate inspection of the copies or register.

Right to inspect the register of debenture-holders and to have copies of trust deed.

159. (1) Every register of holders of debentures of a company shall, except when closed in accordance with the articles during such period or periods (not exceeding in the whole thirty days in any year) as may be specified in the articles, be open to the inspection of the registered holder of any such debentures, and of any holder of shares in the company, but subject to such reasonable restrictions as the company may in general meeting impose, so that at least two hours in each day are appointed for inspection, and every such holder may require a copy of the register or any part thereof on payment of four chuckrams for every one hundred words or fractional part thereof required to be copied.

(2) A copy of any trust-deed for securing any issue of debentures shall be forwarded to every holder of any such debentures at his request on payment in the case of a printed trust-deed of the sum of one rupee or such less sum as may be prescribed by the company or, where the trust-deed has not been printed, on payment of two annas for every one hundred words or fractional part thereof required to be copied.

(3) If inspection is refused, or a copy is refused or not forwarded the company shall be liable to a fine not exceeding fifty rupees, and to a further fine not exceeding twenty rupees for every day during which the refusal continues, and every officer of the company who knowingly authorises or permits the refusal shall incur the like penalty, and the Court may by order compel an immediate inspection of the register.

Debentures and Floating Charges.

Perpetual debentures.

160. A condition contained in any debentures or in any deed for securing any debentures, whether issued or executed before or after the passing of this Regulation shall not be invalid by reason only that thereby the debentures are made irredeemable or redeemable only on the happening of a contingency, however remote, or on the expiration of a period however long.

Power to re-issue redeemed debentures in certain cases.

161. (1) Where either before or after the commencement of this Regulation a company has redeemed any debentures previously issued, the company, unless the articles or the conditions of issue expressly otherwise provide, or unless the debentures have been redeemed in pursuance of any obligation on the company so to do, (not being an obligation enforceable only by the person to whom the redeemed debentures were issued or his assigns), shall have power, and shall be deemed always to have had power, to keep the debentures alive for the purposes of re-issue, and where a company has purported to exercise such a power the company shall have power, and shall be deemed always to have had power, to re-issue the debentures either by re-issuing the same debentures or by issuing other debentures in their place, and upon such re-issue the person entitled to the debentures shall have, and shall be deemed always to have had, the same rights and priorities as if the debentures had not previously been issued.

(2) Where with the object of keeping debentures alive for the purposes of re-issue they have, either before or after the commencement of this Regulation, been transferred to a nominee of the company, a transfer from that nominee shall be deemed to be a re-issue for the purposes of this section.

(3) Where a company has, either before or after the commencement of this Regulation, deposited any of its debentures to secure advances from time to time on current account or otherwise, the

debentures shall not be deemed to have been redeemed by reason only of the account of the company having ceased to be in debit whilst the debentures remained so deposited.

(4) The re-issue of a debenture or the issue of another debenture in its place under the power by this section given to or deemed to have been possessed by a company, whether the re-issue or issue was made before or after the commencement of this Regulation, shall be treated as the issue of a new debenture for the purposes of stamp-duty, but it shall not be so treated for the purposes of any provision limiting the amount or number of debentures to be issued :

Provided that any person lending money on the security of a debenture re-issued under this section which appears to be duly stamped may give the debenture in evidence in any proceedings for enforcing his security without payment of the stamp duty or any penalty in respect thereof, unless he had notice or, but for his negligence, might have discovered, that the debenture was not duly stamped, but in any such case the company shall be liable to pay the proper stamp-duty and penalty.

(5) Nothing in this section shall prejudice

(*a*) the operation of any decree or order of a Court of competent jurisdiction pronounced or made before the first day of Thulam 1092 as between the parties to the proceedings in which the decree or order was made, and any appeal from any such decree or order shall be decided as if this Regulation had not been passed ; or

(*b*) any power to issue debentures in the place of any debentures paid off or otherwise satisfied or extinguished, reserved to a company by its debentures or the securities for the same.

Specific performance of contract to subscribe for debentures.

162. A contract with a company to take up and pay for any debentures of the company may be enforced by a decree for specific performance.

Payments of certain debts out of assets subject to floating charge in priority to claims under the charge.

163. (1) Where either a receiver is appointed on behalf of the holders of any debentures of a company secured by a floating charge, or possession is taken by or on behalf of those debenture-holders of any property comprised in or subject to the charge, then, if the company is not at the time in course of being wound up, the debts which in every winding-up are under the provisions of Part V relating to preferential payments to be paid in priority to all other debts, shall be paid forthwith out of any assets coming to the hands of the receiver or other person taking possession as aforesaid in priority to any claim for principal or interest in respect of the debentures.

(2) The periods of time mentioned in the said provisions of Part V shall be reckoned from the date of the appointment of the receiver or of possession being taken as aforesaid, as the case may be.

(3) Any payments made under this section shall be recouped, as far as may be out of the assets of the company available for payment of general creditors.

Statements, Books and Accounts.

164. (1) Every company shall cause to be kept proper books of account with respect to:

Books to be kept by company and penalty for not keeping proper books.

(a) all sums of money received and expended by the company and the matters in respect of which the receipt and expenditure takes place;

(b) all sales and purchases of goods by the company; and

(c) the assets and liabilities of the company.

(2) The books of account shall be kept at the registered office of the company or at such other place in Travancore as the directors think fit, and shall be open to inspection by the directors during business hours.

(3) Where a company has a branch office, the company shall be deemed to have complied with the provisions of sub-section (1) and sub-section (2) if proper books of accounts relating to the transactions effected at the branch office are kept at the branch office and proper summarised returns, made up to date at intervals of not more than two months, are sent by the branch office to the registered office of the company or other place referred to in sub-section (2).

(4) In the case of a company managed by a managing agent the managing agent, or where the managing agent is a firm or company, the partner or director of such firm or company and in any other case the director or directors who have knowingly by their act or omission been the cause of any default by the company in complying with the requirements of this section shall in respect of such offence be liable to a fine not exceeding one thousand rupees.

165. (1) The directors of every company shall at some date not later than eighteen months after the incorporation of the company and subsequently once at least in every calendar year lay before the company in general meeting a balance-sheet and profit and loss account or, in the case of a company not trading for profit an income and expenditure account for the period, in the case of the first account since the incorporation of the company and in any other case since the preceding account, made up to a date not earlier than the date of the meeting by more than nine months or in the case of a company carrying on business or having interests outside Travancore by more than twelve months:

Annual balance-sheet.

Provided that the Registrar may for any special reason extend th period not exceeding three months.

(2) The balance-sheet and the profit and loss account or income and expenditure account shall be audited by the auditor of the company as hereinafter provided and the auditor's report shall be attached thereto, or there shall be inserted at the foot thereto a reference to the report and the report shall be read before the company in general meeting and shall be open to inspection by any member of the company.

(3) Every company other than a private company shall send a copy of such balance-sheet and profit and loss account or income and expenditure account so audited together with a copy of the auditor's report to the registered address of every member of the company at least fourteen days before the meeting at which it is to be laid before the members of the company, and shall deposit a copy at the registered office of the company for the inspection of the members of the company during a period of at least fourteen days before that meeting.

Directors' report.

166. (1) The directors shall make out and attach to every balance-sheet a report with respect to the state of the company's affairs, the amount, if any, which they recommend should be paid by way of dividend and the amount, if any, which they propose to carry to the Reserve Fund, General Reserve or Reserve Account shown specifically on the balance-sheet or to a Reserve Fund, General Reserve or Reserve Account to be shown specifically in a subsequent balance-sheet. The report shall be sworn as an affidavit.

(2) The report referred to in sub-section (1) may be sworn and signed by the chairman of the directors on behalf of the directors if authorised in that behalf by the directors.

(3) The provisions of sub-section (3) of Section 164 shall apply to any person being a director who is knowingly and wilfully guilty of a default in complying with this section.

Contents of balance-sheet.

167. (1) The balance-sheet shall contain a summary of the property and assets and of the capital and liabilities of the company giving such particulars as will disclose the general nature of those liabilities and assets and how the value of the fixed assets has been arrived at.

(2) The balance-sheet shall be in the form marked F in the Third Schedule or as near thereto as circumstances admit.

(3) The profit and loss account shall include particulars showing the total of the amount paid whether as fees, percentages or otherwise to the managing agent, if any, and the directors respectively as remuneration for their services and, where a special resolution passed by the members of the company so requires, to the manager, and the total of the amount written off for depreciation. If any director of the company is by virtue of the nomination, whether direct or indirect, of the company, a director of any other company, any remuneration or

other emoluments received by him for his own use, whether as a director of, or otherwise in connection with the management of, that other company, shall be shown in a note at the foot of the account or in a statement attached thereto.

168. (1) Where a company, in this Regulation referred to as the holding company, holds shares either directly or through a nominee, in a subsidiary company or in two or more subsidiary companies, there shall be annexed to the balance sheet of the holding company the last audited balance-sheet, profit and loss account and auditor's report of the subsidiary company or companies, and a statement signed by the persons by whom, in pursuance of Section 169 the balance-sheet of the holding company is signed stating how the profits and losses of the subsidiary company, or, where there are two or more subsidiary companies, the aggregate profits and losses of those companies, have been dealt with in or for the purposes of the accounts of the holding company, and in particular how and to what extent—

Balance-sheet to include particulars as to subsidiary companies.

(*a*) provision has been made for the losses of a subsidiary company either in the accounts of that company or of the holding company or of both; and

(*b*) losses of a subsidiary company have been taken into account by the directors of the holding company in arriving at the profits and losses of the company as disclosed in its accounts:

Provided that it shall not be necessary to specify in any such statement the actual amount of the profits or losses of any subsidiary company or the actual amount of any part of any such profits or losses which has been dealt with in any particular manner:

Provided further that for the purposes of this section an investment company, that is to say, a company whose principal business is the acquisition and holding of shares, stocks, debentures or other securities, shall not be deemed to be a holding company by reason only that part of its assets consists in 51 per cent. or more of the shares of another company.

(2) If, in the case of a subsidiary company, the auditors' report on the balance-sheet of the company does not state without qualification that the auditors have obtained all the information and explanations they have required and that the balance-sheet is properly drawn up so as to exhibit a true and correct view of the state of the company's affairs according to the best of their information and the explanations given to them and as shown by the books of the company, the statement, which is to be annexed as aforesaid to the balance-sheet of the holding company, shall contain particulars of the manner in which the report is qualified.

(3) For the purposes of this section, the profits or losses of a subsidiary company mean the profits or losses shown in any accounts of the subsidiary company made up to a date within the period to which

the accounts of the holding company relate, or, if there are no such accounts of the subsidiary company available at the time when the accounts of the holding company are made up, the profits or losses shown in the last previous accounts of the subsidiary company which became available within that period.

(4) If for any reason the directors of the holding company are unable to obtain such information as is necessary for the preparation of the statement aforesaid, the directors who sign the balance-sheet shall so report in writing and their report shall be annexed to the balance-sheet in lieu of the statement.

(5) The holding company may by a resolution authorise representatives named in the resolution to inspect the books of account kept in accordance with Section 164 by any subsidiary company, and on such resolution being passed those books of account shall be open to inspection by those representatives at any time during business hours.

(6) The rights conferred by Section 175 upon members of a company may be exercised in respect of any subsidiary company by members of the holding company as if they were members of that subsidiary company.

Authentication of balance-sheet and profit and loss account or income and expenditure account.

169. (1) Save as provided by sub-section (2) the balance-sheet and profit and loss account or income and expenditure account shall,

(i) in the case of a banking company, be sworn to and signed before a Magistrate by the manager or managing agent (if any) and, where there are more than three directors of the company by at least three of these directors and, where there are not more than three directors, by all the directors;

(ii) in the case of any other company, be sworn to and signed before a Magistrate by two directors or, when there are less than two directors, by the sole director and by the manager or managing agent (if any) of the company.

(2) When the total number of directors of the company for the time being in Travancore is less than the number of directors whose sworn statements and signatures are required by sub-section (1), then the balance sheet and profit and loss account or income and expenditure account shall be similarly sworn to and signed before a Magistrate by all the directors for the time being in Travancore or if there is only one director for the time being in Travancore by such director, but in such a case there shall be subjoined to the balance-sheet and profit and loss account or income and expenditure account a statement signed by such directors or director explaining the reason for non-compliance with the provisions of sub-section (1).

(3) If any default is made in laying before the company or in issuing a balance sheet and profit and loss account or income and expenditure account as required by Section 165 or if any balance sheet and profit and loss account or income and expenditure account is issued, circulated or published which does not comply with the requirements laid down by and under Section 165, Section 167, Section 168 and this section the company and every officer of the company who is knowingly and wilfully a party to the default shall be punishable with a fine which may extend to five hundred rupees.

Copy of balance-sheet and profit and loss account to be forwarded to the Registrar.

170. (1) After the balance-sheet and profit and loss account or the income and expenditure account as the case may be have been laid before the company at the general meeting copies thereof signed by the manager or secretary of the company shall be filed with the Registrar at the same time as the copy of the annual list of members and summary prepared in accordance with the requirements of Section 35.

(2) If the general meeting before which a balance-sheet and profit and loss account are laid does not adopt the balance-sheet, a statement of that fact and of the reasons therefor shall be annexed to the balance-sheet and profit and loss account and to the copy thereof required to be filed with the Registrar.

(3) This section shall not apply to a private company.

(4) If a company makes default in complying with the requirements of this section, the company and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty as is provided by Section 35 for a default in complying with the provisions of that section.

Right of member of company to copies of the balance sheet and the auditor's report.

171. Save as otherwise provided in this Regulation, any member of a company shall be entitled to be furnished by the company with copies of the balance-sheet and profit and loss account or the income and expenditure account and the auditor's report at a charge not exceeding four chuckrams for every hundred words or fractional part thereof.

Statement to be published by Banking and certain other Companies.

Certain companies to publish statement in schedule.

172. (1) Every company being a limited banking company or an insurance company or a deposit, provident or benefit society shall, before it commences business, and also on the first Monday in Kanni and the first Monday in Meenam in every year during which it carries on business, make a statement in the form marked G in the Third Schedule, or as near thereto as circumstances will admit.

(2) A copy of the statement together with a copy of the last audited balance-sheet and profit and loss account laid before the members of the company shall be displayed and, until the display of the

next following statement, kept displayed in a conspicuous place in the registered office of the company, and in every branch office or place where the business of the company is carried on.

(3) Every member and every creditor of the company shall be entitled to a copy of the statement on payment of a sum not exceeding fourteen chuckrams.

(4) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

(5) This section shall not apply to a life assurance company or provident insurance society to which the provisions of the Travancore Life Assurance Companies Regulation, 1112, or of the Provident Insurance Societies Regulation, 1108, as the case may be, as to the annual statements to be made by such company or society, apply with or without modifications, if the company or society complies with those provisions.

Investigation by the Registrar.

Power of Registrar to call for information or explanation.

173. (1) Where the Registrar, on perusal of any document which a company is required to submit to him under the provisions of this Regulation is of opinion that any information or explanation is necessary in order that such document may afford full particulars of the matter to which it purports to relate, he may, by a written order, call on the company submitting the document to furnish in writing such information or explanation within such time as he may specify in his order.

(2) On the receipt of an order under sub-section (1), it shall be the duty of all persons who are or have been officers of the company to furnish such information or explanation to the best of their power.

(3) If any such person refuses or neglects to furnish any such information or explanation, he shall be liable to a fine not exceeding fifty rupees in respect of each offence, and the Court may on the application of the Registrar and upon notice to the company make an order on the company for production of such documents as in its opinion may reasonably be required by the Registrar for his investigation and allow the Registrar inspection thereof on such terms and conditions as it thinks fit.

(4) On receipt of such information or explanation the Registrar may annex the same to the original document submitted to him; and any additional document so annexed by the Registrar shall be subject to the like provisions as to inspection and the taking of copies as the original document is subject.

(5) If such information or explanation is not furnished within the specified time or such further time as the Registrar may grant, or if after perusal of such information or explanation the Registrar is of opinion that the document in question discloses an unsatisfactory state

of affairs, or that it does not disclose a full and fair statement of the matters to which it purports to relate, the Registrar shall report in writing the circumstances of the case to Our Government.

(6) If it is represented to the Registrar in materials placed before him by any contributory or creditor that the business of a company is carried on in fraud of its creditors or in fraud of persons dealing with the company or for a fraudulent purpose, he may after giving the company an opportunity of being heard by written order call on the company for information or explanation on matters specified in the order within such time as he may specify in the order and the provisions of sub-sections (2), (3) and (5) of this section shall apply to such order. If upon investigation the Registrar is satisfied that any representation on which he has taken action under this sub-section is frivolous or vexatious, he shall disclose the identity of the informant to the company.

(7) The provisions of this section shall apply *mutatis mutandis* to documents which a liquidator is required to file under this Regulation.

Inspection and audit by Registrar.

174. (1) The books, accounts and other records of a company required, by this Regulation or the Rules thereunder, to be kept, shall, at all times, subject to such rules, if any, as may be prescribed, be open to inspection and audit at the office of the company by the Registrar or by any person authorised by Our Government in that behalf, and it shall be the duty of every officer of the company to produce to the Registrar or to the person authorised as aforesaid at the office of the company all books, accounts and other records in his custody or power relating to the company and to answer all questions relating to such books, accounts and records.

(2) If any person refuses to produce any book, account or other records or to answer any question as required by sub-section (1) he shall be liable to a fine not exceeding fifty rupees in respect of each offence.

(3) The Registrar or other person, authorised by Our Government as aforesaid, may report to Our Government from time to time, as may be prescribed by Our Government, the result of such inspection or audit.

Inspection and Audit.

Investigation of affairs of company by inspectors.

175. Our Government may appoint one or more competent inspectors to investigate the affairs of any company and to report thereon in such manner as Our Government may direct,

(i) in the case of a banking company having a share capital, on the application of members holding not less than one-fifth of the shares issued;

(ii) in the case of any other company having a share capital, on the application of members holding not less than one-tenth of the shares issued;

(iii) in the case of a company not having a share capital, on the application of not less than one-fifth in number of the persons on the company's register of members;

(iv) in the case of any company, on a report by the Registrar under Section 173, sub-section (5), or under Section 174, sub-section (3), or on the report of any auditors under Section 185.

Explanation:—The Registrar may be appointed as an inspector under this section.

Application for inspection to be supported by evidence.

176. An application by members of a company under Section 175 shall be supported by such evidence as Our Government may require for the purpose of showing that the applicants have good reason for, and are not actuated by malicious motives in requiring the investigation; and Our Government may, before appointing an inspector, require the applicants to give security for payment of the costs of the enquiry.

Inspection of books and examination of officers.

177. (1) It shall be the duty of all officers of the company to produce to the inspectors all books and documents in their custody or power relating to the company.

(2) An inspector shall, subject to such rules as may be passed by Our Government for the payment of batta, have powers to summon and impose the attendance of witnesses including the parties interested or any of them and to compel them to give evidence, and to compel the production of documents by the same means and as far as possible in the same manner as is provided in the case of civil court by the Code of Civil Procedure, 1100.

(3) If any person refuses to produce any book or document which under this section it is his duty to produce, or to answer any question relating to the affairs of the company, he shall be liable to a fine not exceeding fifty rupees in respect of each offence.

Results of examination how dealt with.

178. (1) On the conclusion of the investigation, the inspectors shall report their opinion to Our Government, and a copy of the report shall be forwarded by Our Government to the Registrar and another copy to the registered office of the company, and a further copy shall, at the request of the applicants for the investigation, be delivered to them.

(2) The report shall be written or printed, as Our Government directs.

(3) All expenses of, and incidental to, the investigation shall be defrayed by the applicants unless Our Government direct the same to be paid by the company, which Our Government are hereby authorised to do:

Provided that the expenses of, and incidental to, an investigation held in pursuance of clause (iv) of Section 175 shall be paid out of the assets of the company and shall be recoverable as an arrear of land revenue.

(4) The Registrar shall keep the copy of the report sent to him with the records of the company in his custody.

Institution of prosecutions.

179. (1) If from any report made under Section 175 it appears to Our Government that any person has been guilty of any offence in relation to the company for which he is criminally liable, Our Government shall refer the matter to the Advocate-General or other Law Officer.

(2) If the officer to whom the matter is referred considers that the case is one in which a prosecution ought to be instituted, he shall cause proceedings to be instituted, and it shall be the duty of all officers and agents of the company, past and present (other than the accused in the proceedings), to give to him all assistance in connection with the prosecution which they are reasonably able to give.

(3) For the purposes of sub-section (2), the expression "agents" in relation to a company shall be deemed to include the bankers and legal advisers of the company and any persons employed by the company as auditors, whether those persons are or are not officers of the company.

(4) Any director, manager or other officer of the company convicted as the result of a prosecution initiated under this section shall not without the leave of the Court be a director of or in any way whether directly or indirectly be concerned in or take part in the management of a company for a period of five years from the date of such conviction.

Power of company to appoint inspectors.

180. (1) A company may by a special resolution appoint inspectors to investigate its affairs.

(2) Inspectors so appointed shall have the same powers and duties as inspectors appointed by Our Government except that, instead of reporting to Our Government, they shall report in such manner and to such persons as the company in general meeting may direct.

(3) All officers of the company shall incur the like penalties in case of refusal to produce any book or document required to be produced to inspectors so appointed or to answer any question, as they would have incurred if the inspectors had been appointed by Our Government.

Report of inspectors to be evidence.

181. A copy of the report of any inspectors appointed under this Regulation, authenticated by the seal of the company whose affairs they have investigated, shall be admissible in any legal proceeding as evidence of the opinion of the inspectors in relation to any matter contained in the report.

182. (1) No person shall be appointed or act as an auditor of any company other than a private company not being the subsidiary company of a public company unless he holds a certificate from Our Government entitling him to act as an auditor of companies.

Qualifications and appointment of auditors.

(2) Our Government shall, by Notification in Our Government Gazette, make Rules providing for the grant of certificates entitling the holders thereof to act as auditors of companies and may by such Rules provide the conditions and restrictions on and subject to which such certificate shall be granted. Such rules shall also provide for prescribing courses of study and for the holding of examinations to qualify for practice as an auditor under this Regulation.

The holder of such certificate shall be entitled to act as an auditor of companies throughout Travancore unless such certificate restricts or limits the exercise of the right.

(3) Every company shall at each annual general meeting appoint an auditor or auditors to hold office until the next annual general meeting.

(4) If an appointment of an auditor is not made at an annual general meeting Our Government may, either on its own motion or on the application of any member of the company, appoint an auditor of the company for the current year and fix the remuneration to be paid to him by the company for his services.

(5) The following persons that is to say:—

(i) a director or officer of the company, and

(ii) a partner of such director or officer; and

(iii) in the case of a company other than a private company not being the subsidiary company of a public company, any person in the employment of such director or officer; and

(iv) any person indebted to the company : shall not be appointed auditors of the company; and if any person after being appointed auditor becomes indebted to the company his appointment shall thereupon be terminated.

(6) A person, other than a retiring auditor, shall not be capable of being appointed auditor at an annual general meeting unless notice of an intention to nominate that person to the office of auditor has been given by a member of the company to the company not less than fourteen days before such annual general meeting, and the company shall send a copy of any such notice to the retiring auditor and shall give notice thereof to its members either by advertisement or in any other mode allowed by the articles not less than seven days before the annual general meeting:

Provided that if, after notice of the intention to nominate an auditor has been given to the company, an annual general meeting is called for a date fourteen days or less after the notice has been given, the requirements of this section as to time in respect of such a notice shall be deemed to have been satisfied, and the notice to be sent or given by the company may, instead of being sent or given within the time required by this section, be sent or given at the same time as the notice of the annual general meeting.

(7) The first auditors of the company may be appointed by the directors before the statutory meeting and if so appointed shall hold office until the first annual general meeting, unless previously removed by a resolution of the members of the company in general meeting in whic case such members at that meeting may appoint auditors.

(8) The directors may fill any casual vacancy in the office of auditor, but while any such vacancy continues, the surviving or continuing auditor or auditors (if any) may act.

(9) The remuneration of the auditors of a company shall be fixed by the company in general meeting except that the remuneration of any auditors appointed before the statutory meeting or to fill any casual vacancy, may be fixed by the directors.

Powers and duties of auditors.

183. (1) Every auditor of a company shall have a right of access at all times to the books and accounts and vouchers of the company, and shall be entitled to require from the directors and officers of the company such information and explanation as may be necessary for the performance of the duties of the auditors.

(2) The auditors shall make a report to the members of the company on the accounts examined by them, and on every balance shee and profit and loss account laid before the company in general meeting during their tenure of office, and the report shall state —

(*a*) whether or not they have obtained all the information and explanation they have required ; and

(*b*) whether or not in their opinion the balance-sheet and the profit and loss account referred to in the report are drawn up in conformity with the law ; and

(*c*) whether or not such balance-sheet exhibits a true and correct view of the state of the company's affairs according to the best of their information and the explanations given to them, and as shown by the books of the company; and

(*d*) whether in their opinion, books of accounts have been kept by the company as required by Section 164.

(3) Where any of the matters referred to in clauses (*a*), (*b*), (*c*) and (*d*) of sub-section (2) is answered in the negative or with a qualification, the report shall state the reason for such answer,

(4) In the case of a banking company, if the company has branch banks within or beyond the limits of Travancore, it shall be sufficient if the auditor is allowed access to such copies of and extracts from the books and accounts of any such branch as have been transmitted to the head office of the company in Travancore, provided a duly audited balance sheet of such branch certified as required by the law of the locality be produced along with such copies and extracts.

(5) The auditors of a company shall be entitled to receive notice of and to attend any general meeting of the company at which any accounts which have been examined or reported on by them are to be laid before the company and may make any statement or explanation they desire with respect to the accounts.

(6) If any auditor's report is made which does not comply with the requirements of this section, every auditor who is knowingly and wilfully a party to the default shall be punishable with fine which may extend to one hundred rupees.

Rights of preference share-holders etc., as to receipt and inspeciton of reports, etc.

184. (1) Holders of preference shares and debentures of a company shall have the same right to receive and inspect the balance sheets and profit and loss accounts of the company and the report of the auditors and other reports as is possessed by the holders of ordinary shares in the company.

(2) This section shall not apply to a private company nor to a company registered before the commencement of this Regulation:

Provided that in the case of any public company whether registered before or after the commencement of this Regulation the trustees for holders of debentures shall have the right conferred by sub-section (1) on holders of preference shares and debentures of a company.

Appointment of auditors by Government.

185. (1) Our Government may, whenever they deem fit to do so appoint any officer of Our Government or any person qualified under Section 182 to be appointed as an auditor of companies to audit the books and accounts of any company and the auditor so appointed shall have all the powers of an auditor under Section 183 (1). The auditor shall report to Our Government in such manner as may be prescribed.

(2) Copy of the report may be granted to any shareholder in accordance with such rules as may be made by Our Government.

Carrying on business with less than the legal minimum of members.

Liability for carrying on business with fewer than seven or, in the case of a private company, two members.

186. If at any time the number of members of a company is reduced, in the case of a private company, below two, or in the case of any other company, below seven, and it carries on business for more than six months while the number is so reduced, every person who is a member of the company during the time that it so carries on business after those six months and is cognisant of the fact that it is carrying on business

with fewer than two members or seven members, as the case may be, shall be severally liable for the payment of the whole debts of the company contracted during that time, and may be sued for the same without joinder in the suit of any other member.

Service and authentication of documents.

187. A document may be served on a company by leaving it at or sending it by post or anchal to the registered office of the company.

Service of document on company.

188. A document may be served on the Registrar by sending it to him by post or anchal or delivering it to him, or by leaving it for him at his office.

Service of document on Registrar.

189. A document or proceeding requiring authentication by a company may be signed by a director, secretary or other authorised officer of the company, and need not be under its common seal.

Authentication of documents.

Tables, forms and rules as to prescribed matters.

190. (1) The forms in the Third Schedule or forms as near thereto as circumstances admit shall be used in all matters to which those forms refer.

Application and alteration of tables and forms and power to make rules as to prescribed matters.

(2) Our Government may alter any of the tables and forms in the First Schedule, so that it does not increase the amount of fees payable to the Registrar in the said Schedule mentioned, and may alter or add to the forms in the Third Schedule.

(3) Any such table or form, when altered, shall be published in Our Government Gazette and on such publication shall have effect as if enacted in this Regulation but no alteration made by Our Government in Table A in the First Schedule shall affect any company registered before the alteration, or repeal as respects that company, any portion of that table.

(4) In addition to the powers hereinbefore conferred by this section, Our Government may make rules providing for all or any matters which by this Regulation are to be prescribed by their authority.

(5) Every such rule shall be published in Our Government Gazette and on such publication shall have effect as if enacted in this Regulation.

Arbitration and Compromise.

191. (1) A company may by written agreement refer to arbitration an existing or future difference between itself and any other company or person.

Power for companies to refer matters to arbitration.

(2) Companies, parties to the arbitration, may delegate to the arbitrator power to settle any terms or to determine any matter capable of being lawfully settled or determined by the companies themselves, or by their directors or other managing body.

Power to compromise with creditors and members.

192. (1) Where a compromise or arrangement is proposed between a company and its creditors or any class of them, or between the company and its members or any class of them, the Court may in a summary way, on the application of the company or of any creditor or member of the company or, in the case of a company being wound up, of the liquidator, order a meeting of the creditors or class of creditors, or of the members of the company or class of members, as the case may be, to be called, held and conducted in such manner as the Court directs.

(2) If a majority in number representing three-fourths in value of the creditors or class of creditors, or members or class of members, as the case may be, present either in person or by proxy at the meeting agree to any compromise or arrangement, the compromise or arrangement shall, if sanctioned by the Court, be binding on all the creditors or the class of creditors, or on all the members or class of members, as the case may be, and also on the company, or in the case of a company in the course of being wound up, on the liquidator and contributories of the company.

(3) An order made under sub-section (2) shall have no effect until a certified copy of the order has been filed with the Registrar, and a copy of every such order shall be annexed to every copy of the memorandum of the company issued after the order has been made, or in the case of a company not having a memorandum, of every copy so issued of the instrument constituting or defining the constitution of the company.

(4) If a company makes default in complying with sub-section (3) the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made.

(5) The Court may, at any time after an application has been made to it under this section, stay the commencement or continuation of any suit or proceeding against a company on such terms as it thinks fit and proper until the application is finally disposed of.

(6) In this section the expression "company" means any company liable to be wound up under this Regulation and for the purposes of this section unsecured creditors who may have filed suits or obtained decrees shall be deemed to be of the same class as other unsecured creditors.

(7) An appeal shall lie from any order made by the Court exercising original jurisdiction under this section to the authority authorised to hear appeals from the decisions of the Court.

193. (1) Where an application is made to the Court under Section 192 for the sanctioning of a compromise or arrangement proposed between a company and any such persons as are mentioned in that section, and it is shown to the Court that the compromise or arrangement has been proposed for the purposes of or in connection with a scheme for the reconstruction of any company or companies or the amalgamation of any two or more companies, and that under the scheme the whole or any part of the undertaking or the property of any company concerned in the scheme (in this section referred to as a transferor company) is to be transferred to another company (in this section referred to as the transferee company) the Court may, either by the order sanctioning the compromise or arrangement or by any subsequent order, make provision for all or any of the following matters :—

Provisions for facilitating arrangements and compromises.

(*a*) the transfer to the transferee company of the whole or any part of the undertaking and of the property or liabilities of any transferor company;

(*b*) the allotting or appropriation by the transferee company of any shares, debentures, policies, or other like interests in that company which under the compromise or arrangement are to be allotted or appropriated by that company to or for any person;

(*c*) the continuation by or against the transferee company of any legal proceedings pending by or against any transferor company;

(*d*) the dissolution, without winding up, of any transferor company;

(*e*) the provision to be made for any persons who, within such time and in such manner as the Court directs, dissent from the compromise or arrangement;

(*f*) such incidental, consequential and supplemental matters as are necessary to secure that the reconstruction or amalgamation shall be fully and effectively carried out.

(2) Where an order under this section provides for the transfer of property or liabilitles, that property shall, by virtue of the order, be transferred to and vest in, and those liabilities shall, by virtue of the order, be transferred to and become the liabilities of, the transferee company, and in the case of any property, if the order so directs, freed from any charge which is by virtue of the compromise or arrangement to cease to have effect.

(3) Where an order is made under this section, every company in relation to which the order is made shall cause a certified copy thereof to be delivered to the Registrar for registration within fourteen days after the completion of the order, and if default is made in complying with this sub-section the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding fifty rupees.

(4) In this section the expression 'property' includes property. rights and powers of every description, and the expression 'liabilities' includes duties.

(5) Notwithstanding the provisions of sub-section (6) of Section 192, the expression 'company' in this section does not include any company other than a company within the meaning of this Regulation.

Power to acquire shares of share-holders dissenting from scheme or contract approved by majority.

194. (1) Where a scheme or contract involving the transfer of shares or any class of shares in a company (in this section referred to as 'the transferor company') to another company, whether a company within the meaning of this Regulation or not (in this section referred to as the 'transferee company') has within four months after the making of the offer in that behalf by the transferee company been approved by the holders of not less than three-fourths in value of the shares affected, the transferee company may, at any time within two months after the expiration of the said four months, give notice in the prescribed manner to any dissenting share-holder that it desires to acquire his shares, and where such a notice is given the transferee company shall, unless on an application made by the dissenting share-holder within one month from the date on which the notice was given the Court thinks fit to order otherwise, be entitled and bound to acquire those shares on the terms on which under the scheme or contract the shares of the approving share-holders are to be transferred to the transferee company:

Provided that, where any such scheme or contract has been so approved at any time before the commencement of this Regulation the Court may by order, on an application made to it by the transferee company within two months after the commencement of this Regulation, authorise notice to be given under this section at any time within fourteen days after the making of the order, and this section shall apply accordingly, except that the terms on which the shares of the dissenting share-holder are to be acquired shall be such terms as the Court may by the order direct instead of the terms provided by the scheme or contract.

(2) Where a notice has been given by the transferee company under this section and the Court has not, on an application made by the dissenting share-holder, ordered to the contrary, the transferee company shall, on the expiration of one month from the date on which the notice has been given, or, if an application to the Court by the dissenting share-holder is then pending, after that application has been disposed of, transmit a copy of the notice to the transferor company and pay or transfer to the transferor company the amount or other consideration representing the price payable by the transferee company for the shares which by virtue of this section that company is entitled to acquire, and the transferor company shall thereupon register the transferee company as the holder of those shares.

(3) Any sums received by the transferor company under this section shall be paid into a separate bank account, and any such sums and any other consideration so received shall be held by that company on trust for the several persons entitled to the shares in respect of which the said sums or other consideration were respectively received.

(4) In this section the expression 'dissenting share-holder' includes a share-holder who has not assented to the scheme or contract and any share-holder who has failed or refused to transfer his shares to the transferee company in accordance with the scheme or contract.

Conversion of private company into public company.

Conversion of private company into public company.

195. (1) If a company, being a private company, alters its articles in such manner that they no longer include the provisions which, under the provisions of clause (xiii) of sub section (1) of Section 2, are required to be included in the articles of a company in order to constitute it a private company, the company shall, as on the date of the alteration, cease to be a private company and shall, within a period of fourteen days after the said date, file with the Registrar a prospectus or a statement in lieu of prospectus in the form and containing the particulars set out in the form marked II in the Second Schedule.

(2) If default is made in complying with sub-section (1) of this section, the company and every officer of the company who is knowingly and wilfully in default shall be liable to a fine not exceeding five hundred rupees.

(3) Where the articles of a company include the provisions, aforesaid but default is made in complying with any of these provisions, the company shall cease to be entitled to the privileges and exemptions conferred on private companies under the provisions contained in this Regulation and thereupon the provisions of this Regulation shall apply to the company as if it were not a private company:

Provided that the Court, on being satisfied that the failure to comply with the conditions was accidental or due to inadvertence or to some other sufficient cause, or that on other grounds it is just and equitable to grant relief, may, on the application of the company or any other person interested and on such terms and conditions as seem to the Court just and expedient, order that the company be relieved from such consequences as aforesaid.

PART V.

WINDING UP.

Preliminary.

Mode of winding up.

196. (1) The winding up of a company may be either—

(i) by the Court; or
(ii) voluntary; or
(iii) subject to the supervision of the Court.

(2) The provisions of this Regulation with respect to winding up apply, unless the contrary appears, to the winding up of a company in any of these modes.

Contributories.

Liability as contributories of present and past members.

197. (1) In the event of a company being wound up, every present or past member shall, subject to the provisions of this section, be liable to contribute to the assets of the company to an amount sufficient for payment of its debts and liabilities and the costs, charges and expenses of the winding up, and for the adjustment of the rights of the contributories among themselves, with the qualifications following (that is to say) :—

(i) a past member shall not be liable to contribute if he has ceased to be a member for one year or upwards before the commencement of the winding up;

(ii) a past member shall not be liable to contribute in respect of any debt or liability of the company contracted after he ceased to be a member;

(iii) a past member shall not be liable to contribute unless it appears to the Court that the existing members are unable to satisfy the contributions required to be made by them in pursuance of this Regulation;

(iv) in the case of a company limited by shares, no contribution shall be required from any member exceeding the amount (if any) unpaid on the shares in respect to which he is liable as a present or past member;

(v) in the case of a company limited by guarantee, no contribution shall be required from any member exceeding the amount undertaken to be contributed by him to the assets of the company in the event of its being wound up;

(vi) nothing in this Regulation shall invalidate any provision contained in any policy of insurance or other contract whereby the liability of individual members on the policy or contract is restricted, or whereby the funds of the company are alone made liable in respect of the policy or contract;

(vii) a sum due to any member of a company in his character of a member, by way of dividends, profits or otherwise, shall not be deemed to be a debt of the company payable to the member in a case of competition between himself and any other creditor not a member of the company; but any such sum may be taken into account for the purpose of the final adjustment of the rights of the contributories among themselves.

(2) In the winding up of a company limited by guarantee which has a share capital, every member of the company shall be liable, in addition to the amount undertaken to be contributed by him to the assets of the company in the event of its being wound up, to contribute to the extent of any sums unpaid on any shares held by him.

Liability of directors whose liability is unlimited.

198. In the winding up of a limited company, any director, whether past or present, whose liability is, in pursuance of this Regulation, unlimited, shall, in addition to his liability (if any) to contribute as an ordinary member, be liable to make a further contribution as if he were at the commencement of the winding up a member of an unlimited company:

Provided that :—

(i) a past director shall not be liable to make such further contribution if he has ceased to hold office for a year or upwards before the commencement of the winding up;

(ii) a past director shall not be liable to make such further contribution in respect of any debt or liability of the company contracted after he ceased to hold office;

(iii) subject to the articles a director shall not be liable to make such further contribution unless the court deems it necessary to require that contribution in order to satisfy the debts and liabilities of the company, and the costs, charges and expenses of the winding up.

Meaning of contributory.

199. The term "contributory" means every person liable to contribute to the assets of a company in the event of its being wound up, and, in all proceedings for determining, and, in all proceedings prior to the final determination, of the persons who are to be deemed contributories, includes any person alleged to be a contributory.

Nature of liability of contributory.

200. (1) The liability of a contributory shall create a debt payable at the time specified in the calls made on him by the liquidator.

(2) No claim founded on the liability of a contributory shall be cognizable by any Court in exercise of its small cause jurisdiction.

Contributories in case of death of members.

201. (1) If a contributory dies either before or after he has been placed on the list of contributories, his legal representatives and his heirs shall be liable in a due course of administration to contribute to the assets of the company in discharge of his liability and shall be contributories accordingly.

(2) If the legal representatives or heirs make default in paying any money ordered to be paid by them, proceedings may be taken for administering the property of the deceased contributory, whether movable or immovable, or both, and of compelling payment thereout of the money due.

(3) For the purposes of this section the surviving co-parceners of a contributory who is a member of a Hindu joint family governed by the Mitakshara School of Hindu Law shall be deemed to be his legal representatives and heirs.

202. If a contributory is adjudged insolvent either before or after he has been placed on the list of contributories then —

Contributories in case of insolvency of member.

(1) his assignees shall represent him for all the purposes of the winding up, and shall be contributories accordingly, and may be called on to admit to prove against the estate of the insolvent, or otherwise to allow to be paid out of his assets in due course of law, any money due from the insolvent in respect of his liability to contribute to the assets of the company; and

(2) there may be proved against the estate of the insolvent the estimated value of his liability to future calls as well as calls already made.

Winding up by Court.

203. A Company may be wound up by the Court—

Circumstances in which company may be wound up by Court.

(i) if the company has by special resolution resolved that the company be wound up by the Court;

(ii) if default is made in filing the statutory report or in holding the statutory meeting;

(iii) if the company does not commence its business within a year from its incorporation, or suspends its business for a whole year;

(iv) if the number of members is reduced, in the case of a private company, below two, or, in the case of any other company, below seven;

(v) if the company is unable to pay its debts;

(vi) if the Court is of opinion that it is just and equitable that the company should be wound up.

204. (1) A company shall be deemed to be unable to pay its debts

Company when deemed unable to pay its debts.

(i) if a creditor, by assignment or otherwise, to whom the company is indebted in a sum exceeding five hundred rupees then due, has served on the company, by causing the same to be delivered by registered post or anchal or otherwise at its registered office, a demand under his hand requiring the company to pay the sum so due and the company has for three weeks thereafter neglected to pay the sum, or to secure or compound for it to the reasonable satisfaction of the creditor: or

(ii) if execution or other process issued on a decree or order of any Court in favour of a creditor of the company is returned unsatisfied in whole or in part; or

(iii) if it is proved to the satisfaction of the Court that the Company is unable to pay its debts, and in determining whether a company is unable to pay its debts, the Court shall take into account the contingent and prospective liabilities of the company.

(2) The demand referred to in clause (i) of sub-section (1) shall be deemed to have been duly given under the hand of the creditor if it is signed by an agent or legal adviser duly authorised on his behalf, or in the case of a firm if it is signed by such agent or by a legal adviser or any one member of the firm on behalf of the firm.

Provisions as to applications for winding up.

205. An application to the Court for the winding up of a company shall be by petition presented, subject to the provisions of this section, either by the company, or by any creditor or creditors, (including any contingent or prospective creditor or creditors), contributory or contributories, or by all or any of those parties, together or separately, or by the Registrar:

Provided that—

(*a*) a contributory shall not be entitled to present a petition for winding up a company unless:—

(i) either the number of members is reduced, in the case of a private company below two, or, in the case of any other company, below seven, or

(ii) the shares in respect of which he is a contributory or some of them either were originally allotted to him or have been held by him, and registered in his name, for at least six months during the eighteen months before the commencement of the winding up, or have devolved on him through the death of a former holder;

(*b*) the Registrar shall not be entitled to present a petition for winding up a company:—

(i) except on the ground that from the financial condition of the company as disclosed in its balance-sheet or from the report of an inspector appointed under Section 175 it appears that the company is unable to pay its debts, and

(ii) unless the previous sanction of Our Government has been obtained to the presentation of the petition:

Provided that no such sanction shall be given unless the company has first been afforded an opportunity of being heard;

(*c*) a petition for winding up a company on the ground of default in filing the statutory report or in holding the statutory meeting shall not be presented by any person except a shareholder, nor before the expiration of fourteen days after the last day on which the meeting ought to have been held;

(*d*) the Court shall not give a hearing to a petition for winding up of a company by a contingent or prospective creditor until such security for costs has been given as the Court thinks reasonable and until a *prima facie* case for winding up has been established to the satisfaction of the Court.

Effect of winding up order.

206. An order for winding up a company shall operate in favour of all the creditors and all of the contributories of the company as if made on the joint petition of a creditor and a contributory.

207. A winding up of a company by the Court shall be deemed to commence at the time of the presentation of the petition for the winding up.

Commencement of winding up by Court.

208. The Court may, at any time after the presentation of the petition for winding up a company under this Regulation and before making an order for winding up the company, upon the application of the company, or of any creditor or contributory of the company, restrain further proceedings in any suit or proceeding against the company, upon such terms as the Court thinks fit.

Court may grant injunction.

209. (1) On hearing the petition the Court may dismiss it with or without costs, or adjourn the hearing conditionally or unconditionally, or make any interim order or any other order that it deems just, but the Court shall not refuse to make a winding up order on the ground only that the assets of the company have been mortgaged to an amount equal to or in excess of those assets, or that the company has no assets.

Powers of Court on hearing petition.

(2) Where the petition is presented on the ground of default in filing the statutory report or in holding the statutory meeting, the Court may order the costs to be paid by any persons who, in the opinion of the Court, are responsible for the default.

(3) Where the Court makes an order for the winding up of a company it shall, except where a liquidator is appointed simultaneously, forthwith cause intimation thereof to be sent to the official receiver.

210. When a winding up order has been made or a provisional liquidator has been appointed, no suit or other legal proceeding shall be proceeded with or commenced against the company except by leave of the Court and subject to such terms as the Court may impose.

Suits stayed on winding up order.

211. (1) For the purposes of this Regulation so far as it relates to the winding up of companies by the Court, the term 'official receiver' means the official receiver attached to the Court, or, if there is no such official receiver, then such person as our Government may, by notification in Our Government Gazette, appoint for the purpose.

Vacancy in the office of liquidator.

(2) On the making of a winding up order, the official receiver shall become the official liquidator of the company and shall continue to act as such until his further continuance is terminated by an order of the Court.

(3) The official receiver shall as such official liquidator forthwith take into his custody and control all the books, documents and the assets of the company.

(4) The official receiver shall be entitled to such remuneration as the Court shall fix.

212. (1) On the making of a winding up order the Court shall send a copy of the order to the Registrar.

Copy of winding up order to be filed with Registrar.

(2) On receipt of a copy of a winding up order, the Registrar shall make a minute thereof in his books relating to the company, and shall notify in Our Government Gazette that such an order has been made.

(3) Such order shall be deemed to be notice of discharge to the servants of the company, except when the business of the company is continued.

Power of court to stay winding up.

213. The Court may at any time after an order for winding up, on the application of any creditor or contributory, and on proof to the satisfaction of the Court that all proceedings in relation to the winding up ought to be stayed, make an order staying the proceedings, either altogether or for a limited time, on such terms and conditions as the Court thinks fit.

Court may have regard to wishes of creditors or contributories.

214. The Court may as to all matters relating to a winding up, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence.

Official Liquidators.

Appointment of official liquidator.

215. (1) For the purposes of conducting the proceedings in winding up a company and performing such duties in reference thereto as the Court may impose, the Court may appoint a person or persons other than the official receiver, to be called an official liquidator or official liquidators.

(2) The Court may make such an appointment provisionally at any time after the presentation of a petition and before the making of an order for winding up, but shall before making any such appointment give notice to the company, unless for reasons to be recorded it thinks fit to dispense with notice.

(3) If more persons than one are appointed to the office of official liquidator, the Court shall declare whether any act by this Regulation required or authorised to be done by the official liquidator is to be done by all or any one or more of such persons.

(4) The Court may determine whether any, and what, security is to be given by any official liquidator on his appointment.

(5) The acts of an official liquidator shall be valid notwithstanding any defect that may afterwards be discovered in his appointment:

Provided that nothing in this sub-section shall be deemed to give validity to acts done by an official liquidator after his appointment has been shown to be invalid.

(6) A receiver shall not be appointed of assets in the hands of an official liquidator.

Resignations, removals, filling up vacancies and compensation.

216. (1) Any official liquidator may resign or be removed by the Court on due cause shown.

(2) Any vacancy in the office of an official liquidator appointed by the Court shall be filled up by the Court, and until the vacancy is so filled up the official receiver shall be and act as the official liquidator.

(3) There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct; and, if more liquidators than one are appointed, such remuneration shall be distributed amongst them in such proportions as the Court directs.

Official liquidator.

217. The official liquidator shall be described by the style of the official liquidator of the particular company in respect of which he is appointed, and not by his individual name.

Statement of affairs to be made to the liquidator.

218. (1) Where the Court has made a winding up order or appointed an official liquidator provisionally, there shall, unless the Court thinks fit to order otherwise and so orders, be made out and submitted to the official liquidator a statement as to the affairs of the company verified by an affidavit and containing the following particulars, namely:—

(*a*) the assets of the company, stating separately the cash balance in hand and at the bank, if any;

(*b*) the debts and liabilities;

(*c*) the names, residences and occupations of the creditors stating separately the amount of secured debts and unsecured debts, and in the case of secured debts particulars of the securities, their value and the dates when they were given;

(*d*) the debts due to the company and the names, residences and occupations of the persons from whom they are due and the amount likely to be realised therefrom.

(2) The statement shall be submitted and verified by one or more of the persons who are at the relevant date the directors and by the person who is at that date the secretary, manager or other chief officer of the company, or by such of the persons hereinafter in this sub-section mentioned as the official liquidator, subject to the direction of the Court, may require to submit and verify the statement, that is to say persons:—

(*a*) who are or have been directors or officers of the company;

(*b*) who have taken part in the formation of the company at any time within one year before the relevant date;

(*c*) who are in the employment of the company or have been in the employment of the company within the said year, and are in the opinion of the official liquidator capable of giving the information required;

(*d*) who are or have been within the said year officers of or in the employment of a company, which is, or within the said year was, an officer of the company to which the statement relates.

(3) The statement shall be submitted within twenty-one days from the relevant date, or within such extended time as the official liquidator or the Court may for special reasons appoint.

(4) Any person making or concurring in making the statement and affidavit required by this section shall be allowed, and shall be

paid by the official liquidator or provisional liquidator, as the case may be, out of the assets of the company, such costs and expenses incurred in and about the preparation and making of the statement and affidavit as the official liquidator may consider reasonable, subject to an appeal to the Court.

(5) If any person, without reasonable excuse, knowingly and wilfully makes default in complying with the requirements of this section, he shall be liable to a fine not exceeding one hundred rupees for every day during which the default continues.

(6) Any person stating himself in writing to be a creditor or contributory of the company shall be entitled by himself or by his agent at all reasonable times, on payment of the prescribed fee, to inspect the statement submitted in pursuance of this section and to a copy thereof or extract therefrom.

(7) Any person untruthfully so stating himself to be a creditor or contributory shall be guilty of an offence under Section 175 of the Travancore Penal Code and shall, on the application of the liquidator or of the official receiver be punishable accordingly.

(8) In this section the expression "the relevant date" means, in a case where a provisional liquidator is appointed, 'the date of his appointment, and, in a case where no such appointment, is made, the date of the winding up order.

Statement by liquidator.

219 (1) In a case where a winding up order is made, the official liquidator shall, as soon as practicable after receipt of the statement to be submitted under Section 218 and not later than four or with the leave of the Court six months from the date of the order, or in a case where the Court orders that no statement shall be submitted as soon as practicable after the date of the order, submit a preliminary report to the Court—

(*a*) as to the amount of capital issued, subscribed and paid up and the estimated amount of assets and liabilities giving separately under the heading of assets particulars of—

(i) cash and negotiable securities;

(ii) debts due from contributories;

(iii) debts due to and securities, if any, available to the company;

(iv) movable and immovable properties belonging to the company;

(v) unpaid calls;

(*b*) if the company has failed, as to the causes of the failure; and

(*c*) whether in his opinion further inquiry is desirable as to any matter relating to the promotion, formation, or failure of the company or the conduct of the business thereof.

(2) The official liquidator may also, if he thinks fit, make a further report, or further reports, stating the manner in which the company was formed and whether in his opinion any fraud has been committed by any person in its promotion or formation, or by any director or other officer of the company in relation to the company since the formation thereof, and any other matters which in his opinion it is desirable to bring to the notice of the Court.

220. (1) The official liquidator whether appointed provisionally or not shall take into his custody, or under his control all the property, effects and actionable claims to which the company is or appears to be entitled.

Custody of company's property.

(2) All the property and effects of the company shall be deemed to be in the custody of the court as from the date of the order for the winding up of the company.

221. (1) The official liquidator shall within a month from the date of the order for the winding up of a company convene a meeting of the creditors of the company (as ascertained from the books and documents of the company) for the purpose of determining whether or not a committee of inspecton shall be appointed to act with the liquidator and who are to be members of the committee, if appointed.

Committee of inspection in compulsory winding up.

(2) The official liquidator shall within a week from the date of the creditor's meeting convene a meeting of the contributories to consider the decision of the creditors and to accept the same with or without modifications.

(3) If the contributories do not accept the decision of the creditors in its entirity, it shall be the duty of the official liquidator to apply to the Court for directions as to whether there shall be a committee of inspection and, if so, what shall be the composition of the committee, and who shall be members thereof.

(4) A committee of inspection appointed under this section shall consist of not more than twelve members being creditors and contributories of the company or persons holding general or special powers of attorney from creditors or contributories in such proportions as may be agreed on by the meetings of creditors and contributories, or as, in case of difference, may be determined by the Court.

(5) The committee of inspection shall have the right to inspect the accounts of the official liquidator at all reasonable times.

(6) The committee shall meet at such times as they may from time to time appoint, and, failing such appointment at least once a month, and the liquidator or any member of the committee may also call a meeting of the committee as and when he thinks necessary.

(7) The committee may act by a majority of their members present at a meeting, but shall not act unless a majority of the committee are present.

(8) A member of the committee may resign by notice in writing signed by him and delivered to the liquidator.

(9) If a member of the committee becomes bankrupt, or compounds or arranges with his creditors, or is absent from five consecutive meetings of the committee without the leave of those members who together with himself represent the creditors or contributories, as the case may be, his office shall thereupon become vacant.

(10) A member of the committee may be removed by an ordinary resolution at a meeting of creditors if he represents creditors, or of contributories if he represents contributories, of which seven days' notice has been given, stating the object of the meeting.

(11) On a vacancy occurring in the committee the liquidator shall forthwith summon a meeting of creditors or of contributories, as the case may require to fill the vacancy, and the meeting may, by resolution, re-appoint the same or appoint another creditor or contributory to fill the vacancy.

(12) The continuing members of the committee, if not less than two, may act notwithstanding any vacancy in the committee.

222. The official liquidator shall have power, with the sanction of the Court, to do the following things:—

Powers of official liquidator.

(*a*) to institute or defend any suit or prosecution, or other legal proceeding, civil or criminal, in the name and on behalf of the company;

(*b*) to carry on the business of the company so far as may be necessary for the beneficial winding up of the same;

(*c*) to sell the immovable and movable property of the company by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels;

(*d*) to do all acts and to execute in the name and on behalf of the company, all deeds, receipts, and other documents, and for that purpose to use, when necessary, the company's seal;

(*e*) to prove, rank and claim in the insolvency of any contributory, for any balance against his estate, and to receive dividends in the insolvency, in respect of that balance, as a separate debt due from the insolvent, and rateably with the other separate creditors;

(*f*) to draw, accept, make and indorse any bill of exchange, hundi or promissory note in the name and on behalf of the company, with the same effect with respect to the liability of the company as if the bill, hundi or note had been drawn, accepted, made or indorsed by or on behalf of the company in the course of its business;

(*g*) to raise on the security of the assets of the company any money requisite;

(*h*) to take out, in his official name, letters of administration to any deceased contributory, and to do in his official name any other act necessary for obtaining payment of any money due from a contributory or his estate which cannot be conveniently done in the name of the company; and in all such cases the money due shall, for the purpose of enabling the liquidator to take out the letters of administration or recover the money, be deemed to be due to the liquidator himself:

Provided that nothing herein empowered shall be deemed to affect the rights, duties and privileges of any Administrator appointed under the Probate and Administration Regulation II of 1105;

(i) to do all such other things as may be necessary for winding up the affairs of the company and distributing its assets.

Discretion of official liquidator.

223. The Court may provide by any order that the official liquidator may exercise any of the above powers without the sanction or intervention of the Court, and where an official liquidator is provisionally appointed, may limit and restrict his powers by the order appointing him.

Provision for legal assistance to official liquidator.

224. The official liquidator may with the sanction of the Court appoint an advocate or a pleader entitled to appear before the Court to assist him in the performance of his duties.

Official books to be kept by liquidator in winding up.

225. (1) The official liquidator of a company which is being wound up by the Court shall keep, in manner prescribed, proper books in which he shall cause to be made entries or minutes of proceedings at meetings and of such other matters as may be prescribed, and any creditor or contributory may, subject to the control of the Court, personally or by his agent inspect any such books.

(2) Every official liquidator shall, at such times as may be prescribed but not less than twice in each year during his tenure of office, present to the Court an account of his receipts and payments as such liquidator.

(3) The account shall be in the prescribed form, shall be made in duplicate, and shall be verified by a declaration in the prescribed form.

(4) The Court shall cause the account to be audited in such manner as it thinks fit and for the purpose of the audit the liquidator shall furnish the Court with such vouchers and information as the Court may require, and the Court may at any time require the production of and inspect any books or accounts kept by the liquidator.

(5) When the account has been audited, one copy thereof shall be filed and kept by the court, and the other copy shall be delivered to the Registrar for filing, and each copy shall be open to the inspection of any creditor, or of any person interested.

Exercise and control of liquidator's powers.

226. (1) Subject to the provisions of this Regulation the official liquidator of a company which is being wound up by the Court, shall, in the administration of the assets of the company and in the distribution thereof among its creditors, have regard to any directions that may be given by resolution of the creditors or contributories at any general meeting, or by the committee of inspection, and any directions given by the creditors or contributories at any general meeting shall in case of conflict be deemed to override any directions given by the committee of inspection.

(2) The official liquidator may summon general meetings of the creditors or contributories for the purpose of ascertaining their wishes, and it shall be his duty to summon meetings at such times as the creditors or contributories, by resolution, may direct, or whenever requested in writing to do so by one-tenth in value of the creditors or contributories, as the case may be.

(3) The official liquidator may apply to the Court in manner prescribed for directions in relation to any particular matter arising in the winding up.

(4) Subject to the provisions of this Regulation, the official liquidator shall use his own discretion in the administration of the assets of the company and in the distribution thereof among the creditors.

(5) If any person is aggrieved by any act or decision of the official liquidator, that person may apply to the Court, and the Court may confirm, reverse or modify the act or decision complained of, and make such order as it thinks just in the circumstances.

Ordinary Powers of Court.

Settlement of list of contributories and application of assets

227. (1) As soon as may be after making a winding up order, the Court shall settle a list of contributories, with power to rectify the register of members in all cases where rectification is required in pursuance of this Regulation and shall cause the assets of the company to be collected and applied in discharge of its liabilities.

(2) In settling the list of contributories, the Court shall distinguish between persons who are contributories in their own right and persons who are contributories as being representatives of or liable for the debts of others.

Power to require delivery of property.

228. The Court may, at any time after making a winding up order require any contributory for the time being settled on the list of contributories and any trustee, receiver, banker, agent, or officer, of the company, to pay deliver, surrender or transfer forthwith, or within such time as the Court directs, to the official liquidator any money, property or documents in his hands to which the company is *prima facie* entitled.

Power to order payment of debts by contributory.

229. (1) The Court may at any time after making a winding up order, make an order on any contributory for the time being settled on the list of contributories to pay, in manner directed by the order, any money due from him or from the estate of the person whom he represents to the company exclusive of any money payable by him or the estate by virtue of any call in pursuance of this Regulation.

(2) The Court in making such an order may, in the case of an unlimited company, allow to the contributory by way of set-off any money due to him or to the estate which he represents from the company on any independent dealing or contract with the company, but

not any money due to him as a member of the company in respect of any dividend or profit; and may, in the case of a limited company, make to any director whose liability is unlimited or to his estate the like allowance:

Provided that, in the case of any company, whether limited or unlimited when all the creditors are paid in full any money due on any account whatever to a contributory from the company may be allowed to him by way of set-off against any subsequent call.

Power of Court to make calls.

230. (1) The Court may, at any time after making a winding up order, and either before or after it has ascertained the sufficiency of the assets of the company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of the contributories to the extent of their liability, for payment of any money which the Court considers necessary to satisfy the debts and liabilities of the company and the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves.

(2) In making the call the Court may take into consideration the probability that some of the contributories may partly or wholly fail to pay the call.

Power to order payment into bank.

231. The Court may order any contributory, purchaser or other persons from whom money is due to the company to pay the same into such bank or banks as may, from time to time, be approved by Our Government, to the account of the official liquidator instead of to the official liquidator, and any such order may be enforced in the same manner as if it had directed payment to the official liquidator.

Regulation of account with Court.

232. All moneys, bills, hundies, notes and other securities paid and delivered into such bank as aforesaid in the event of a company being wound up by the Court shall be subject in all respects to the orders of the Court.

Order on contributory conclusive evidence.

233. (1) An order made by the Court on a contributory shall (subject to any right of appeal) be conclusive evidence that the money, if any, thereby appearing to be due or ordered to be paid is due.

(2) All other pertinent matters stated in the order shall be taken to be truly stated as against all persons, and in all proceedings whatsoever.

Power to exclude creditors not proving in time.

234. The Court may fix a time or times within which creditors are to prove their debts or claims or to be excluded from the benefit of any distribution made before those debts are proved.

235. The Court shall adjust the rights of the contributories among themselves, and distribute any surplus among the persons entitled thereto.

Adjustment of rights of contributories.

236. The Court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to the payment out of the assets of the costs, charges and expenses incurred in the winding up in such order of priority as the Court thinks just.

Power to order costs.

237. (1) When the affairs of a company have been completely wound up, the Court shall make an order that the company be dissolved from the date of the order, and the company shall be dissolved accordingly.

Dissolution of company.

(2) The order shall be reported within fifteen days of the making thereof by the official liquidator to the Registrar, who shall make in his books a minute of the dissolution of the company.

(3) If the official liquidator makes default in complying with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which he is in default.

Extraordinary Powers of Court.

238. (1) The Court may, after it has made a winding up order summon before it any officer of the company, or person known or suspected to have in his possession any property of the company, or supposed to be indebted, to the company, or any person whom the Court deems capable of giving information concerning the trade, dealings, affairs or property of the company.

Power to summon persons suspected of having property of company.

(2) The Court may examine him on oath concerning the same either by word of mouth or on written interrogatories and may reduce his answers to writing and require him to sign them.

(3) The Court may require him to produce any documents in his custody or power relating to the company; but, where he claims any lien on documents produced by him, the production shall be without prejudice to that lien, and the Court shall have jurisdiction in the winding up to determine all questions relating to that lien.

(4) If any person so summoned, after being tendered a reasonable sum for his expenses, refuses to come before the Court at the time appointed, not having a lawful impediment (made known to the Court at the time of its sitting, and allowed by it), the Court may cause him to be apprehended and brought before the Court for examination.

239. (1) When an order has been made for winding up a company by the Court, and the official liquidator has applied to the Court stating that in his opinion a fraud has been committed by any person in the promotion or formation of the company or by any director or other officer of the company in relation to the company since its formation, the Court may, after consideration of the application

Power to order public examination of promoters, directors, etc.

direct that any person who has taken any part in the promotion or formation of the company, or has been a director, manager or other officer of the company, shall attend before the Court on a day appointed by the Court for that purpose, and be publicly examined as to the promotion or formation or the conduct of the business of the company, or as to his conduct and dealings as director, manager or other officer thereof.

(2) The official liquidator shall take part in the examination, and for that purpose, may, if specially authorised by the Court in that behalf, employ such legal assistance as may be sanctioned by the Court.

(3) Any creditor or contributory may also take part in the examination either personally or by any person entitled to appear before the Court.

(4) The Court may put such questions to the person examined as the Court thinks fit.

(5) The person examined shall be examined on oath and shall answer all such questions as the Court may put or allow to be put to him.

(6) A person ordered to be examined under this section may at his own cost employ any person entitled to appear before the Court, who shall be at liberty to put to him such questions as the Court may deem just for the purpose of enabling him to explain or qualify any answers given by him:

Provided that if he is, in the opinion of the Court, exculpated from any charges made or suggested against him, the Court may allow him such costs as in its discretion it may think fit.

(7) Such examination shall be taken down in writing in the language of the Court, and shall be read over to or by, and signed by, the person examined, and may thereafter be used in evidence against him in civil proceedings, and shall be open to the inspection of any creditor or contributory at all reasonable times.

(8) The Court may, if it thinks fit, adjourn the examination from time to time.

(9) An examination under this section may, if the Court so directs, and subject to any rules in this behalf, be held before any other Court, and the powers of the Court under this section as to the conduct of the examination, but not as to costs, may be exercised by such other Court before which the examination is held.

Power to arrest absconding contributory.

240. The Court, at any time either before or after making a winding up order on proof of probable cause for believing that a contributory is about to quit Travancore or otherwise to abscond, or to remove or conceal any of his property, for the purpose of evading payment of calls or of avoiding examination respecting the affairs of the company, may cause the contributory to be arrested and his books and papers and movable property to be seized, and him and them to be safely kept until such time as the Court may order.

241. Any powers by this Regulation conferred on the Court shall be in addtion to, and not in restriction of any existing powers of instituting proceedings against any contributory or debtor of the company, or the estate of any contributory or debtor, for the recovery of any call or other sums.

Saving of other proceedings.

Enforcement of and Appeal from Orders.

242. All orders made by a Court under this Regulation may be enforced in the same manner in which decrees of such Court made in any suit pending therein may be enforced.

Power to enforce orders.

243. Any order made by a Court for or in the course of the winding up of a company shall be enforced in any place in Travancore other than that in which such Court is situate, by the Court that would have had jurisdiction in respect of such company if the registered office of the company had been situate at such other place, and in the same manner in all respects as if such order had been made by the Court that is hereby required to enforce the same.

Order made in any Court to be enforced by other Courts.

244. Where any order made by one Court is to be enforced by another Court, a certified copy of the order so made shall be produced to the proper officer of the Court required to enforce the same, and the production of such certified copy shall be sufficient evidence of such order having been made; and thereupon the last mentioned Court shall take the requisite steps in the matter for enforcing the order, in the same manner as if it were the order of the Court enforcing the same.

Mode of dealing with orders to be enforced by other Courts.

245. Re-hearings of, and appeals from, any order or decision made or given in the matter of the winding up of a company by the Court may be had in the same manner and subject to the same conditions in and subject to which appeals may be had from any order or decision of the same Court in cases within its ordinary jurisdiction.

Appeals from orders.

Voluntary winding up.

246. A company may be wound up voluntarily—

(1) when the period (if any) fixed for the duration of the company by the articles expires or the event (if any) occurs on the occurence of which the articles provide that the company is to be dissolved and the company in general meeting has passed a resolution requiring the company to be wound up voluntarily;

Circumstances in which company may be wound up voluntarily.

(2) if the company resolves by special resolution that the company be wound up voluntarily;

(3) if the company resolves by extraordinary resolution to the effect that it cannot by reason of its liabilities, continue its business and that it is advisable to wind up;

and the expression 'resolution for voluntarily winding up' when used hereafter in this Part means a resolution passed under clause (1) clause (2) or clause (3) of this section.

Commencement of voluntary winding up.

247. A voluntary winding up shall be deemed to commence at the time of the passing of the resolution for voluntarily winding up.

Effect of voluntary winding up on status of company.

248. When a company is wound up voluntarily, the company shall, from the commencement of the winding up, cease to carry on its business, except so far as may be required for the beneficial winding up thereof:

Provided that the corporate state and corporate powers of the company shall, notwithstanding anything to the contrary in its articles, continue until it is dissolved.

Notice of resolution to wind up voluntarily.

249. (1) Notice of any special resolution or extraordinary resolution for winding up a company voluntarily shall be given by the company within ten days of the passing of the same by advertisement in Our Government Gazette, and also in some newspapers (if any) circulating in the district where the registered office of the company is situate,

(2) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to a like penalty.

Declaration of solvency.

250. (1) Where it is proposed to wind up a company voluntarily, the directors of the company or, in the case of a company having more than two directors, the majority of the directors, may, at a meeting of the directors held before the date on which the notices of the meeting at which the resolution for the winding up of the company is to be proposed are sent out, make a declaration verified by an affidavit to the effect that they have made a full inquiry into the affairs of the company, and that, having so done, they have formed the opinion that the company will be able to pay its debts in full within a period, not exceeding three years, from the commencement of the winding up.

(2) Such declaration shall be supported by a report of the company's auditors on the company's affairs, and shall have no effect for the purposes of this Regulation unless it is delivered to the Registrar for registration before the date mentioned in sub-section (1) of this section.

(3) A winding up in the case of which a declaration has been made and delivered in accordance with this section is in this Regulation referred to as 'a member's voluntary winding up,' and a winding up in

the case of which a declaration has not been made and delivered as aforesaid is in this Regulation referred to as 'a creditor's voluntary winding up.'

Members' voluntary winding up.

Provisions applicable to a member's voluntary winding up.

251. The provisions contained in Sections 252 to 256 both inclusive, shall apply in relation to a member's voluntary winding up.

Power of company to appoint and fix remuneration of liquidators

252. (1) The company in general meeting shall appoint one or more liquidators for the purpose of winding up the affairs and distributing the assets of the company, and may fix the remuneration to be aid to him or them.

(2) On the appointment of a liquidator all the powers of the direcrs shall cease, except so far as the company in general meeting, or he liquidator, sanctions the continuance thereof.

Power to fill vacancy in office of liquidator.

253. (1) If a vacancy occurs by death, resignation or otherwise in the office of liquidator appointed by the company the company in general meeting may, subject to any arrangement with its creditors, fill the vacancy.

(2) For that purpose a general meeting may be convened by any contributory or, if there were more liquidators than one, by the continuing liquidators.

(3) The meeting shall be held in manner provided by this Regulation or by the articles, or in such manner as may, on application by any contributory or by the continuing liquidators, be determined by the Court.

Power of liquidator to accept shares, etc., as consideration for sale of property of company.

254. (1) Where a company is proposed to be, or is in course of being, wound up altogether voluntarily, and the whole or part of its business or property is proposed to be transferred or sold to another company, whether a company within the meaning of this Regulation or not (in this section called the 'transferee company'), the liquidator of the first mentioned company (in this section called the transferor company) may, with the sanction of a special resolution of that company conferring either a general authority on the liquidator or an authority in respect of any particular arrangement, receive, in compensation or part compensation for the transfer or sale, shares, policies, or other like interests in the transferee company, for distribution among the members of the transferor company, or may enter into any other arrangement whereby the members of the transferor company, may, in lieu of receiving cash, shares, policies, or other like interests or in addition thereto, participate in the profits of or receive any other benefit from the transferee company.

(2) Any sale or arrangement in pursuance of this section shall be binding on the members of the transferor company.

(3) If any member of the transferor company who did not vote in favour of the special resolution expresses his dissent therefrom in writing addressed to the liquidator and left at the registered office of the company within seven days after the passing of the special resolution, he may require the liquidator either to abstain from carrying the resolution into effect or to purchase his interest at a price to be determined by agreement or by arbitration in manner hereafter provided.

(4) If the liquidator elects to purchase the member's interest, the purchase money must be paid before the company is dissolved, and be raised by the liquidator in such manner as may be determined by special resolution.

(5) A special resolution shall not be invalid for the purpose of this section by reason that it is passed before or concurrently with a resolution for voluntary winding up or for appointing liquidators, but if an order is made within a year for winding up the company by or subject to the supervision of the Court, the special resolution shall not be valid unless sanctioned by the Court.

Duty of liquidator to call general meeting at the end of each year.

255. (1) In the event of the winding up continuing for more than one year the liquidator shall summon a general meeting of the company at the end of the first year from the commencement of the winding up and of each succeeding year, or as soon thereafter as may be convenient within ninety days of the close of the year, and shall lay before the meeting an account of his acts and dealings and of the conduct of the winding up during the preceding year and a statement in the prescribed form containing the prescribed particulars with respect to the position of the liquidation.

(2) If the liquidator fails to comply with this section he shall be liable to a fine not exceeding one hundred rupees.

Final meeting and dissolution.

256. (1) As soon as the affairs of the company are fully wound up, the liquidator shall make up an account of the winding up, showing how the winding up has been conducted and the property of the company has been disposed of, and thereupon shall call a general meeting of the company for the purpose of laying before it the account, and giving any explanation thereof.

(2) The meeting shall be called by advertisement specifying the time, place and object thereof, and published one month at least before the meeting in the manner specified in sub-section (1) of Section 249 for publication of a notice under that sub-section.

(3) Within one week after the meeting the liquidator shall send to the Registrar a copy of the account, and shall make a return to him of the holding of the meeting and of its date, and if the copy is not sent or the return is not made in accordance with this sub-section the liquidator shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Provided that, if a quorum is not present at the meeting, the liquidator shall, in lieu of the said return, make a return that the meeting was duly summoned and that no quorum was present thereat, and upon such a return being made the provisions of this sub-section as to the making of the return shall be deemed to have been complied with.

(4) The Registrar on receiving the account and either of the returns mentioned in sub-section (3) shall forthwith register them and on the expiration of three months from the registration of the return the company shall be deemed to be dissolved:

Provided that the Court may, on the application of the liquidator or of any other person who appears to the Court to be interested, make an order deferring the date at which the dissolution of the company is to take effect for such time as the Court thinks fit.

(5) It shall be the duty of the person on whose application an order of the Court under this section is made, within twenty-one days after the making of the order, to deliver to the Registrar a certified copy of the order for registration, and if that person fails so to do he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues:

Explanation :—For the purpose of this section the time taken by the Court for the grant of copies shall be excluded.

Creditors' voluntary winding up.

Provisions applicable to a creditor's voluntary winding up.

257. The provisions contained in Sections 258 to 265 both inclusive, shall apply in relation to a creditor's voluntary winding up.

Meeting of creditors.

258. The company shall cause a meeting of the creditors of the company to be summoned for the day, or the day next following the day, on which there is to be held the meeting at which the resolution for voluntary winding up is to be proposed, and shall cause the notices of the said meeting of creditors to be sent by post or anchal to the creditors simultaneously with the sending of the notices of the said meeting of the company.

(2) The company shall cause notice of the meeting of the creditors to be advertised in the manner specified in sub-section (1) of Section 249 for the publication of a notice under that sub-section.

(3) The directors of the company shall

(*a*) cause a full statement of the position of the company's affairs together with the list of the creditors of the company and the estimated amount of their claims to be laid before the meeting of creditors to be held as aforesaid ; and

(*b*) appoint one of their number to preside at the said meeting.

(4) It shall be the duty of the director appointed to preside at the meeting of creditors to attend the meeting and preside thereat.

(5) If the meeting of the company at which the resolution for voluntary winding up is to be proposed is adjourned and the resolution is passed at an adjourned meeting, any resolution passed at the meeting of the creditors, held in pursuance of sub-section (1) of this section, shall have effect as if it had been passed immediately after the passing of the resolution for winding up the company.

(6) If default is made

(a) by the company in complying with sub-sections (1) and (2),

(b) by the directors of the company in complying with sub-section (3),

(c) by any director of the company in complying with sub-section (4),

the company, directors or director, as the case may be, shall be liable to a fine not exceeding one thousand rupees and, in the case of default by the company, every officer of the company who is in default shall be liable to the like penalty.

Appointment of liquidator.

259. The creditors and the company at their respective meetings mentioned in Section 258 may nominate a person to be liquidator for the purpose of winding up the affairs and distributing the assets of the company, and if the creditors and the company nominate different persons, the person nominated by the creditors shall be liquidator, and if no person is nominated by the creditors the person, if any, nominated by the company shall be liquidator.

Provided that, in the case of different persons being nominated, any director, member or creditor of the company may, within seven days after the date on which the nomination was made by the creditors, apply to the Court for an order either directing that the person nominated as liquidator by the company shall be liquidator instead of or jointly with the person nominated by the creditors, or appointing some other person to be liquidator instead of the person appointed by the creditors.

Appointment of committee of inspection.

260. The creditors at the meeting to be held in pursuance of section 258 or at any subsequent meeting may, if they think fit, appoint a committee of inspection consisting of not more than five persons, and if such a committee is appointed the company may, either at the meeting at which the resolution for voluntary winding up is passed or at any time subsequently in general meeting, appoint such number of persons as they think fit to act as members of the committee not exceeding five in number:

Provided that the creditors may, as they think fit, resolve that all or any of the persons so appointed by the company ought not to be members of the committee of inspection, and, if the creditors so resolve the persons mentioned in the resolution shall not, unless the Court otherwise directs, be qualified to act as members of the committee, and on any application to the Court under this provision, the Court may, if it thinks fit, appoint other persons to act as such members in place of the persons mentioned in the resolution.

261. (1) The committee of inspection, or if there is no such committee the creditors, may fix the remuneration to be paid to the liquidator or liquidators, and where the remuneration is not so fixed, it shall be determined by the Court.

Fixing of liquidator's remuneration and cesser of director's powers.

(2) On the appointment of a liquidator, all the powers of the directors shall cease, except so far as the committee of inspection, or if there is no such committee, the creditors, sanction the continuance thereof.

262. If a vacancy occurs, by death, resignation or otherwise, in th office of the liquidator, other than a liquidator appointed by, or by the direction of, the Court, the creditors may fill the vacancy.

Power to fill vacancy in office of liquidator.

263. The provisions of Section 254 shall apply in the case of a creditor's voluntary winding up as in the case of a member's voluntary winding up with the modification that the powers of the liquidator under the said section shall not be exercised except with the sanction either of the Court or of the committee of inspection.

Application of Section 254 to a creditor's voluntary winding up.

264. (1) In the event of the winding up continuing for more than one year, the liquidator shall summon a general meeting of the company and a meeting of creditors at the end of the first year from the commencement of the winding up, and of each succeeding year, or as soon thereafter as may be convenient, and shall lay before the meetings an account of his acts and dealings and of the conduct of the winding up during the preceding year and a statement in the prescribed form containing the prescribed particulars with respect to the position of the winding up.

Duty ot liquidator to call meetings of company and of creditors at end of each year.

(2) If the liquidator fails to comply with this section, he shall be liable to a fine not exceeding one hundred rupees.

265. (1) As soon as the affairs of the company are fully wound up, the liquidator shall make up an account of the winding up showing how the winding up has been conducted and the property of the company has been disposed of, and thereupon shall call a general meeting of the company and a meeting of the creditors for the purpose of laying the account before the meeting and giving any explanation thereof.

Final meeting and dissolution.

(2) Each such meeting shall be called by advertisement specifying the time, place and object thereof and published one month at least before the meeting in the manner specified in sub-section (1) of Section 249 for the publication of a notice under that sub-section.

(3) Within one week after the date of the meetings, or, if the meetings are not held on the same date, after the date of the later meeting, the liquidator shall send to the Registrar a copy of the account, and shall make a return to him of the holding of the meetings

and of their dates; and if the copy is not sent or the return is not made in accordance with this sub-section the liquidator shall be liable to a fine not exceeding fifty rupees for every day during which the default continues:

Provided that, if a quorum (which for the purposes of this section shall be two persons) is not present at either such meeting, the liquidator shall, in lieu of such return, make a return that the meeting was duly summoned and that no quorum was present thereat, and upon such a return being made the provisions of this sub-section as to the making of the return shall, in respect of that meeting, be deemed to have been complied with.

(4) The Registrar on receiving the account and in respect of each such meeting either of the returns mentioned in sub-section (3) shall f rthwith register them, and on the expiration of three months from the registration thereof the company shall be deemed to be dissolved:

Provided that the Court may, on the application of the liquidato or of any other person who appears to the Court to be interested, make an order deferring the date at which the dissolution of the company is to take effect for such time as the Court thinks fit.

(5) It shall be the duty of the person on whose application an order of the Court under this section is made, within ten days after the making of the order, to deliver to the Registrar a certified copy of the order for registration, and if that person fails to do so he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Members' or creditors' voluntary winding up.

Provisions applicable to every voluntary winding up.

266. The provisions contained in Sections 267 to 274 both inclusive shall apply to every voluntary winding up, whether a member's or creditor's winding up.

Distribution of property of company.

267. Subject to the provisions of this Regulation as to preferential payments, the property of a company shall on its winding up be applied in satisfaction of its liabilities *pari passu* and, subject to such application, shall, unless the articles otherwise provide, be distributed among the members according to their rights and interests in the company.

Powers and duties of liquidator in voluntary winding up.

268. (1) The liquidator may—

(*a*) in the case of a member's voluntary winding up with the sanction of an extraordinary resolution of the company, and in the case of a creditor's voluntary winding up with the sanction of either the Court or the committee of inspection, exercise any of the powers given by clauses (d), (e), (f) and (h) of Section 222 to a

iquidator in a winding up; the exercise by the liquidator of the powers given by this clause shall be subject to the control of the Court and any creditor or contributory may apply to the Court with respect to any exercise or proposed exercise of any of these powers;

(*b*) without the sanction referred to in clause (*a*) exercise any of the other powers by this Regulation given to the liquidator in a winding up by the Court;

(*c*) exercise the power of the Court under this Regulation of settling a list of contributories, and the list of contributories shall be *prima facie* evidence of the liability of the persons named therein to be contributories;

(*d*) exercise the power of the Court of making calls;

(*e*) summon general meeting of the company for the purpose of obtaining the sanction of the company by special or extraordinary resolution or for any other purpose he may think fit.

(2) The liquidator shall pay the debts of the company and shall adjust the rights of the contributories among themselves.

(3) When several liquidators are appointed, any power given by this Regulation may be exercised by such one or more of them as may be determined at the time of their appointment, or, in default of such determination, by any number not less than two.

Power of Court to appoint and remove liquidator in voluntary winding up.

269. (1) If from any cause whatever there is no liquidator acting, the Court may appoint a liquidator.

(2) The Court may, on cause shown, remove a liquidator and appoint another liquidator.

Notice by liquidator of his appointment.

270. (1) The liquidator shall, within twenty-one days after his appointment, deliver to the Registrar for registration a notice of his appointment in the form prescribed.

(2) If the liquidator fails to comply with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Arrangement when binding on creditors.

271. (1) Any arrangement entered into between a company about to be, or in the course of being, wound up and its creditors shall, subject to the right of appeal under this section, be binding on the company if sanctioned by an extraordinary resolution and on the creditors acceded to by three-fourths in number and value of the creditors

(2) Any creditor or contributory may, within three weeks from the completion of the arrangement, appeal to the Court against it, and the Court may thereupon, as it thinks just, amend, vary or confirm the arrangement.

272. (1) The liquidator or any contributory or creditor may apply to the Court to determine any question arising in the winding up of a company, or to exercise as respects the enforcing of calls, staying of proceedings or any other matter, all or any of the powers which the Court might exercise if the company were being wound up by the Court.

Power to apply to Court to have questions determined or powers exercised.

(2) The liquidator or any creditor or contributory may apply for an order setting aside any attachment, distress or execution put into force against the estate or effects of the company after the commencement of the winding up. Such application shall lie in the Court having jurisdiction to wind up the Company.

(3) The Court, if satisfied that the determination of the question or the required exercise of power or the order applied for will be just and beneficial, may accede wholly or partially to the application on such terms and conditions as it thinks fit, or may make such other order on the application as it thinks just.

273. All costs, charges and expenses properly incurred in the winding up, including the remuneration of the liquidator, shall, subject to the rights of secured creditors, if any, be payable out of the assets of the company in priority to all other claims.

Cost of voluntary winding up.

274. The winding up of a company shall not bar the right of any creditor or contributory to have it wound up by the Court, but in the case of an application by a contributory, the Court must be satisfied that the rights of the contributories will be prejudiced by a voluntary winding up.

Saving for rights of creditors and contributories.

275. Where a company is being wound up voluntarily, and an order is made for winding up by the Court, the Court may, if it thinks fit, by the same or any subsequent order, provide for the adoption of all or any of the proceedings in the voluntary winding up.

Power of court to adopt proceedings of voluntary winding up.

Winding up subject to supervision of Court.

276. When a company has by special or extraordinary resolution resolved to wind up voluntarily, the Court may make an order that the voluntary winding up shall continue, but subject to such supervision of the Court, and with such liberty for creditors, contributories or others to apply to the Court, and generally on such terms and conditions as the Court thinks just.

Power to order winding up subject to supervision.

277. A petition for the continuance of a voluntary winding up subject to the supervision of the Court shall, for the purpose of giving jurisdiction to the Court over suits, be deemed to be a petition for winding up by the Court.

Effect of petition for winding up subject to supervision.

278. The Court may, in deciding between a winding up by the Court and a winding up subject to supervision, in the appointment of liquidators, and in all other matters relating to the winding up subject to supervision, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence.

Court may have regard to wishes of creditors and contributories.

279. (1) Where an order is made for a winding up subject to supervision, the Court may by the same or any subsequent order appoint any additional liquidator.

Power of Court to appoint or remove liquidators.

(2) A liquidator appointed by the Court under this section shall have the same powers, be subject to the same obligations, and in all respects stand in the same position as if he had been appointed by the company.

(3) The Court may remove any liquidator so appointed by the Court or any liquidator continued under the supervision order, and fill any vacancy occasioned by the removal, or by death or resignation.

280. (1) Where an order is made for a winding up subject to supervision, the liquidator may, subject to any restrictions imposed by the Court, excercise all his powers, without the sanction or intervention of the Court, in the same manner as if the company were being wound up altogether voluntarily.

Effect of supervision order

(2) Except as provided in sub-section (1), and save for the purposes of Section 239, any order made by the Court for a winding up subject to the supervision of the Court shall for all purposes, including the staying of suits and other proceedings, be deemed to be an order of the Court for winding up the company by the Court, and shall confer full authority on the Court to make calls, or to enforce calls made by the liquidators, and to excercise all other powers which it might have exercised if an order had been made for winding up the company altogether by the Court.

(3) In the construction of the provisions whereby the Court is empowered to direct any act or thing to be done to or in favour of the official liquidator, the expression "official liquidator" shall be deemed to mean the liquidator conducting the winding up subject to the supervision of the Court.

281. Where an order has been made for the winding up of a company subject to supervision, and an order is afterwards made for winding up by the Court, the Court may, by the last-mentioned order or by any subsequent order, appoint the voluntary liquidators or any of them, either provisionally or permanently, and either with or without the addition of any other person, to be official liquidator in the winding up by the Court.

Appointment in certain cases of voluntary liquidators to office of official liquidators.

Supplemental Provision.

282. (1) In the case of voluntary winding up every transfer of shares except transfers made to or with the sanction of the liquidator, and every alteration in the status of the members of the company made after the commencement of the winding up shall be void.

Avoidance of transfers, etc., after commencement of winding up.

(2) In the case of a winding up by or subject to the supervision of the Court, every disposition of the property (including actionable claims) of the company, and every transfer of shares, or alteration in the status of its members, made after the commencement of the winding up shall, unless the Court otherwise orders, be void.

283. In every winding up (subject in the case of insolvent companies to the application in accordance with the provisions of this Regulation of the law of insolvency) all debts payable on a contingency, and all claims against the company, present or future, certain or contingent, shall be admissible to proof against the company, a just estimate being made, so far as possible, of the value of such debts or claims as may be subject to any contingency or for some other reason do not bear a certain value.

Debts of all descriptions to be proved.

284. In the winding up of an insolvent company the same rules shall prevail and be observed with regard to the respective rights of secured and unsecured creditors and to debts provable and to the valuation of annuities and future and contingent liabilities as are in force for the time being under the law of insolvency with respect to the estates of persons adjudged insolvent; and all persons who in any such case would be entitled to prove for and receive dividends out of the assets of the company may come in under the winding up, and make such claims against the company as they respectively are entitled to by virtue of this section.

Application of insolvency rules in winding up of insolvent companies.

285. (1) In a winding up there shall be paid in priority to all other debts—

Preferential payments.

(a) all revenue, taxes, cesses and rates, whether payable to Our Government or to a local authority and rents payable to land-lords due from the company at the date hereinafter mentioned and having become due and payable within the twelve months next before that date;

TO (b) all wages or salary of any clerk or servant in respect of service rendered to the company within the two months next before the said date, not exceeding one thousand rupees for each clerk or servant;

(c) all wages of any labourer or workman, not exceeding five hundred rupees for each, whether payable for time or piecework in respect of services rendered to the company within the two months next before the said date;

(*d*) all sums due to any employee from a provident fund, a pension fund, a gratuity fund or any other fund for the welfare of the employees maintained by the company; and

(*e*) the expenses of any investigation held in pursuance of clause (iv) of Section 175 of this Regulation.

(2) The foregoing debts shall—

(*a*) rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportion; and

(*b*) so far as the assets of the company available for payment of general creditors are insufficient to meet them, have priority over the claims of holders of debentures under any floating charge created by the company and be paid accordingly out of any property comprised in or subject to that charge.

(3) Subject to the retention of such sums as may be necessary for the costs and expenses of the winding up, the foregoing debts shall be discharged forthwith so far as the assets are sufficient to meet them.

(4) In the event of any person distraining or having distrained on any goods or effects of the company within three months next before the date of a winding up order, the debts to which priority is given by this section shall be a first charge on the goods or effects so distrained on, or the proceeds of the sale thereof:

Provided that in respect of any money paid under any such charge the person so paying shall have the same rights of priority as the person to whom the payment is made.

(5) The date hereinbefore in this section referred to is—

(*a*) in the case of a company ordered to be wound up compulsorily which had not previously commenced to be wound up voluntarily, the date of the winding up order; and

(*b*) in any other case, the date of the commencement of the winding up.

Disclaimer of property.

286. (1) Where any part of the property of a company which is being wound up consists of land of any tenure burdened with onerous covenants, of shares or stock in companies, of unprofitable contracts or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the liquidator of the company, notwithstanding that he had endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto, may, with the leave of the Court and subject to the provisions of this section, by writing signed by him, at any time within twelve months after the commencement of the winding up or such extended period as may be allowed by the Court, disclaim the property:

Provided that, where any such property has not come to the knowledge of the liquidator within one month after the commencement of the winding up, the power under this section of disclaiming the

property may be exercised at any time within twelve months after he has become aware thereof or such extended period as may be allowed by the Court.

(2) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interest and liabilities of the company, and the property of the company, in or in respect of the property disclaimed, but shall not, except so far as is necessary for the purpose of releasing the company and the property of the company from liability, affect the rights or liabilities of any other person.

(3) The Court, before or on granting leave to disclaim, may require such notices to be given to persons interested, and impose such terms as a condition of granting leave, and make such other order in the matter as the Court thinks just.

(4) The liquidator shall not be entitled to disclaim any property under this section in any case where an application in writing has been made to him by any persons interested in the property requiring him to decide whether he will or will not disclaim, and the liquidator has not, within a period of twenty-eight days after the receipt of the application or such further period as may be allowed by the Court, given notice to the applicant that he intends to apply to the Court for leave to disclaim, and in the case of a contract, if the liquidator, after such an application as aforesaid, does not within the said period or further period disclaim the contract, the company shall be deemed to have adopted it.

(5) The Court may, on the application of any person who is, as against the liquidator, entitled to the benefit or subject to the burden of a contract made with the company, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise as the Court thinks just, and any damages payable under the order to any such person may be proved by him as a debt in the winding up.

(6) The Court may, on an application by any person who either claims any interest in any disclaimed property or is under any liability not discharged by this Regulation in respect of any disclaimed property and on hearing any such persons as it thinks fit, make an order for the vesting of the property in or the delivery of the property to any persons entitled thereto, or to whom it may seem just that the property should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the Court thinks just, and on any such vesting order being made, the property comprised therein shall vest accordingly in the person therein named in that behalf without any conveyance or assignment for the purpose :

Provided that, where the property disclaimed is of a leasehold nature, the Court shall not make a vesting order in favour of any person claiming under the company whether as under-lessee or as mortgagee except upon the terms of making that person—

(*a*) subject to the same liabilities and obligations as those to which the company was subject under the lease in respect of the property at the commencement of the winding up; or

(*b*) if the Court thinks fit, subject only to the same liabilities and obligations as if the lease had been assigned to that person at that date; and in either event (if the case so requires) as if the lease had comprised only the property comprised in the vesting order, and any mortgagee or under-lessee declining to accept a vesting order upon such terms shall be excluded from all interest in and security upon the property, and if there is no person claiming under the company who is willing to accept an order upon such terms, the Court shall have power to vest the estate and interest of the company in the property in any person liable, either personally or in a representative character, and either alone or jointly with the company, to perform the lessee's covenants in the lease, freed and discharged from all estates, encumbrances and interests created therein by the company.

(7) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the company to the amount of the injury, and may accordingly prove the amount as a debt in the winding up.

Fraudulent preference.

287. (1) Any transfer, delivery of goods, payment, execution or other act relating to property which would, if made or done by or against an individual, be deemed in his insolvency a fraudulent preference, shall, if made or done by or against a company, be deemed, in the event of its being wound up, a fraudulent preference of its creditors, and be invalid accordingly.

(2) For the purposes of this section the presentation of a petition for winding up in the case of a winding up by or subject to the supervision of the Court, and a resolution for winding up in the case of a voluntary winding up, shall be deemed to correspond with the act of insolvency, in the case of an individual.

(3) Any transfer or assignment by a company of all its property to trustees for the benefit of all its creditors shall be void.

Avoidance of certain attachments, executions, etc.

288. (1) Where any company is being wound up by or subject to the supervision of the Court, any attachment, distress or execution put in force without leave of the Court against the estate or effects or any sale held without leave of the Court of any of the properties of the company after the commencement of the winding up shall be void.

(2) Nothing in this section applies to proceedings by Our Government

Effect of floating charge.

289. Where a company is being wound up a floating charge on the undertaking or property of the company created within three months of the commencement of the winding up shall, unless it is proved that the company immediately after the creation of the charge was solvent, be invalid except to the amount of any cash paid to the company at the time of, or subsequently to the creation of, and in consideration for, the charge, together with interest on that amount at the rate of five per cent. per annum.

290. (1) The liquidator may, with the sanction of the Court when the company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an extraordinary resolution of the company in the case of a voluntary winding up, do the following things or any of them :—

General scheme of liquidation may be sanctioned.

(i) pay any classes of creditors in full;

(ii) make any compromise or arrangement with creditors or persons claiming to be creditors or having or alleging themselves to have any claim, present or future, whereby the company may be rendered liable;

(iii) compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, present or future, certain or contingent, subsisting or supposed to subsist between the company and a contributory or alleged contributory or other debtor or person apprehending liability to the company, and all questions in any way relating to or affecting the assets or the winding up of the company, on such terms as may be agreed, and take any security for the discharge of any such call, debt, liability or claim, and give a complete discharge in respect thereof.

(2) The exercise by the liquidator of the powers of this section shall be subject to the control of the Court, and any creditor or contributory may apply to the Court with respect to any exercise or proposed exercise of any of these powers.

291. (1) Where, in the course of winding up a company, it appears that any person who has taken part in the formation or promotion of the company, or any past or present director, manager or liquidator, or any officer of the company has misapplied or retained or become liable or accountable for any money or property of the company, or been guilty of any misfeasance or breach of trust in relation to the company, the Court may, on the application of the liquidator, or of any creditor or contributory made within three years from the date of the first appointment of a liquidator in the winding up or of the misapplication, retainer, misfeasance or breach of trust, as the case may be, whichever is longer, examine into the conduct of the promoter, director, manager, liquidator or officer, and compel him to repay or restore the money or property or any part thereof respectively with interest at such rate as the Court thinks just, or to contribute such sum to the assets of the company by way of compensation in respect of the misapplication, retainer, misfeasance or breach of trust as the Court thinks just.

Power of Court to assess damages against delinquent directors, etc.

(2) This section shall apply notwithstanding that the offence is one for which the offender may be criminally responsible.

292. If any director, manager, officer or contributory of any company being wound up destroys, mutilates, alters or falsifies or fradulently secretes any books, papers or securities, or makes, or is privy to the making of, any false or fradulent entry in any register, book of account or document belonging to the company with intent to defraud or deceive any person, he shall be liable to imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Penalty for falsification of books.

293. (1) If it appears to the Court in the course of a winding up by or subject to the supervision of the Court that any past or present director, manager or other officer, or any member, of the company has been guilty of any offence in relation to the company for which he is criminally liable, the Court may, either on the application of any person interested in the winding up or of its own motion, direct the liquidator either himself to prosecute the offender or to refer the matter to the Registrar.

Prosecution of delinquent directors.

(2) If it appears to the liquidator in the course of a voluntary winding up that any past or present director, manager or other officer, or any member of the company has been guilty of any offence in relation to the company for which he is criminally liable, he shall forthwith report the matter to the Registrar and shall furnish to him such information and give to him such access to and facilities for inspecting and taking copies of any documents, being information or documents in the possession or under the control of the liquidator relating to the matter in question, as he may require.

(3) Where any report is made under sub-section (2) to the Registrar, he may, if he thinks fit, refer the matter to Our Government for further enquiry, and Our Government shall thereupon investigate the matter and may, if they think it expedient apply to the Court for an order conferring on any person designated by Our Government for the purpose with respect to the company concerned all such powers of investigating the affairs of the company as are provided by this Regulation in the case of a winding up by the Court.

(4) If on any Report to the Registrar under sub-section (2) it appears to him that the case is not one in which proceedings ought to be taken by him, he shall inform the liquidator accordingly, and thereupon, subject to the previous sanction of the Court, the liquidator may himself take proceedings against the offender.

(5) If it appears to the Court in the course of a voluntary winding up that any past or present director, manager or other officer, or any member of the company has been guilty as aforesaid, and that no report with respect to the matter has been made by the liquidator to the Registrar, the Court may, on the application of any person interested in the winding up or of its own motion, direct the liquidator to make such a report, and on a report being made accordingly, the provisions of this section shall have effect as though the report has been made in pursuance of the provisions of sub-section (2).

(6) If, where any matter is reported or referred to the Registrar under this section, he considers that the case is one in which a prosecution ought to be instituted, he shall place the papers before the Advocate-General or the Public Prosecutor and, if advised to do so, institute proceedings:

Provided that no prosecution shall be undertaken without first giving the accused person an opportunity of making a statement in writing to the Registrar and of being heard thereon,

(7) When any proceedings are instituted under this section it shall be the duty of the liquidator and of every officer and agent of the company past and present (other than the defendant in the proceedings) to give all assistance in connection with the prosecution which he is reasonably able to give, and for the purposes of this sub-section the expression agent in relation to a company shall be deemed to include any banker or legal adviser of the company and any person employed by the company as auditor whether that person is or is not an officer of the company.

(8) If any person fails or neglects to give assistance in manner required by sub-section (7) the Court may, on the application of the Registrar, direct that person to comply with the requirements of the said sub-section, and where any such application is made with respect to a liquidator, the Court may, unless it appears that the failure or neglect to comply was due to the liquidator not having in his hands sufficient assets of the company to enable him so to do, direct that the costs of the application shall be borne by the liquidator personally.

Penalty for false evidence.

294. If any person, upon any examination upon oath authorised under this Regulation, or in any affidavit, deposition or solemn affirmation, in or about the winding up of any company under this Regulation or otherwise in or about any matter arising under this Regulation intentionally gives false evidence, he shall be liable to imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Penal provisions.

295. (1) If any person, being a past or present director, managing agent, manager or other officer of a company which at the time of the commission of the alleged offence is being wound up, whether by or under the supervision of the Court or voluntarily, or is subsequently ordered to be wound up by the Court or subsequently passes a resolution for voluntary winding up—

(*a*) does not to the best of his knowledge and belief fully and truly discover to the liquidator all the property, real and personal, of the company, and how and to whom and for what consideration and when the company disposed of any part thereof, except such part as has been disposed of in the ordinary way of the business of the company; or

(*b*) does not deliver up to the liquidator, or as he directs, all such part of the real and personal property of the company as is in his custody or under his control, and which he is required by law to deliver up; or

(*c*) does not deliver up to the liquidator, or as he directs, all books and papers in his custody or under his control belonging to the company and which he is required by law to deliver up; or

(*d*) within twelve months next before the commencement of the winding up or at any time thereafter conceals any part of the property

of the company to the value of one hundred rupees or upwards or conceals any debt due to or from the company; or

(*e*) within twelve months next before the commencement of the winding up or at any time thereafter fraudulently removes any part of the property of the company to the value of one hundred rupees or upwards; or

(*f*) makes any material omission in any statement relating to the affairs of the company or

(*g*) knowing or believing that a false debt has been proved by any person under the winding up, fails for the period of a month to inform the liquidator thereof; or

(*h*) after the commencement of the winding up prevents the production of any book or paper affecting or relating to the property or affairs of the company; or

(*i*) within twelve months next before the commencement of the winding up or at any time thereafter, conceals, destroys, mutilates or falsifies, or is privy to the concealment, destruction, mutilation or falsification of any book or paper affecting or relating to the property or affairs of the company; or

(*j*) within twelve months next before the commencement of the winding up or at any time thereafter makes or is privy to the making of any false entry in any book or paper affecting or relating to the property or affairs of the company; or

(*k*) within twelve months next before the commencement of the winding up or at any time thereafter fraudulently parts with, alters or makes any omission in or is privy to the fraudulent parting with, altering or making any omission in, any document affecting or relating to the property or affairs of the company; or

(*l*) after the commencement of the winding up or at any meeting of the creditors of the company within twelve months next before the commencement of the winding up, attempts to account for any part of the property of the company by fictitious losses or expenses; or

(*m*) has within twelve months next before the commencement of the winding up or at any time thereafter, by any false representation or other fraud, obtained any property for or on behalf of the company on credit which the company does not subsequently pay for; or

(*n*) within twelve months next before the commencement of the winding up or at any time thereafter, under the false pretence that the company is carrying on its business, obtains on credit, for or on behalf of the company, any property which the company does not subsequently pay for; or

(*o*) within twelve months next before the commencement of the winding up or at any time thereafter pawns, pledges or disposes of any property of the company which has been obtained on credit and has not been paid for, unless such pawning, pledging or disposing is in the ordinary way of the business of the company; or

(*p*) is guilty of any false representation or other fraud for the purpose of obtaining the consent of the creditors of the company or any of them to an agreement with reference to the affairs of the company or to the winding up;

he shall be punishable, in the case of the offences mentioned respectively in clauses (*m*), (*n*) and (*o*) of this sub-section, with imprisonment for a term not exceeding five years, and, in the case of any other offence, with imprisonment for a term not exceeding two years;

Provided that it shall be a good defence to a charge under any of clauses (*b*), (*c*), (*d*), (*f*), (*n*), and (*o*) if the accused proves that he had no intent to defraud, and to a charge under any of clauses (*a*), (*h*), (*i*), and (*j*) if he proves that he had no intent to conceal the state of affairs of the company or to defeat the law.

(2) Where any person pawns, pledges or disposes of any property in circumstances which amount to an offence under clause (*o*) of sub-section (i) every person who takes in pawn or pledge or otherwise receives the property knowing it to be pawned, pledged or disposed of in such circumstances as aforesaid shall be punishable with imprisonment for a term not exceeding three years.

Meetings to ascertain wishes of creditors or contributories.

296. (1) Where by this Regulation the Court is authorised in relation to winding up to have regard to the wishes of creditors or contributories, as proved to it by any sufficient evidence, the Court may, if it thinks fit for the purpose of ascertaining those wishes, direct meetings of the creditors or contributories to be called, held and conducted in such manner as the Court directs, and may appoint a person to act as chairman of any such meeting and to report the result thereof to the Court.

(2) In the case of creditors, regard shall be had to the value of each creditor's debt.

(3) In the case of contributories regard shall be had to the number of votes conferred on each contributory by the articles.

Documents of company to be evidence.

297. When any company is being wound up, all documents of the company and of the liquidators shall, as between the contributories of the company, be *prima facie* evidence of the truth of all matters purporting to be therein recorded.

Inspection of documents.

298. After an order for winding up by or subject to the supervision of the Court, the Court may make such order for inspection by creditors and contributories of the company of its documents as the Court thinks just, and any documents in the possession of the company may be inspected by creditors or contributories accordingly, but not further or otherwise.

Disposal of documents of company.

299. (1) When a company has been wound up and is about to be dissolved, the documents of the compay and of the liquidators may be disposed of as follows (that is to say):—

(*a*) in the case of a winding up by or subject to the supervision of the Court, in such way as the Court directs;

(*b*) in the case of a voluntary winding up, in such way as the company by extraordinary resolution directs;

(2) After three years from the dissolution of the company, no responsibility shall rest on the company or the liquidators, or any person to whom the custody of the documents has been committed, by reason of the same not being forthcoming to any person claiming to be interested therein.

Power of Court to declare dissolution of company void.

300. (1) Where a company has been dissolved, the Court may at any time within two years of the date of the dissolution, on an application being made for the purpose by the liquidator of the company or by any other person who appears to the Court to be interested, make an order upon such terms as the Court thinks fit, declaring the dissolution to have been void, and thereupon such proceedings may be taken as might have been taken if the company had not been dissolved.

(2) It shall be the duty of the person on whose application the order was made, within twenty-one days after the making of the order, to file with the Registrar a certified copy of the order, and if that person fails so to do, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Information as to pending liquidation.

301. (1) Where a company is being wound up, if the winding up is not concluded within one year after its commencement, the liquidator shall, once in each year and at intervals of not more than twelve months until the winding up is concluded, file in Court or with the Registrar as the case may be a statement in the prescribed form and containing the prescribed particulars with respect to the proceedings in and position of the liquidation.

(2) Any person stating himself in writing to be a creditor or contributory of the company shall be entitled, by himself or by his agent, at all reasonable times, on payment of the prescribed fee to inspect the statement, and to receive a copy thereof or extract therefrom; but any person untruthfully so stating himself to be a creditor or contributory shall be deemed to be guilty of an offence under Section 175 of the Travancore Penal Code, and shall be punishable accordingly on the application of the liquidator.

(3) When the statement is filed in Court a copy shall forthwith be filed with the Registrar and shall be kept by him along with the other records of the company.

(4) If a liquidator fails to comply with the requirements of this section, he shall be liable to a fine not exceeding five hundred rupees for each day during which the default continues.

Payment of liquidator into bank.

302. (1) Every liquidator of a company which is being wound up by the Court shall, in such manner and at such time as may be prescribed, pay the money received by him into such bank or banks as may from time to time be approved and notified by Our Government.

Provided that if the Court is satisfied that for the purpose of carrying on the business of the company or of obtaining advances or for any other reason it is for the advantage of the creditors or contributories that the liquidator should have an account with any other bank, the Court may authorise the liquidator to make his payments into or out of such other bank as the Court may select and thereupon those payments shall be made in the prescribed manner.

(2) If any such liquidator at any time retains for more than ten days a sum exceeding five hundred rupees or such other amount as the Court may in any particular case authorise him to retain, then, unless he explains the retention to the satisfaction of the Court, he shall pay interest on the amount so retained in excess at the rate of twenty per cent. per annum and shall be liable to disallowance of all or such part of his remuneration as the Court may think just and to be removed from his office by the Court and shall be liable to pay any expenses occasioned by reason of his default.

(3) A liquidator of a company which is being wound up shall open a special banking account and pay all sums received by him as liquidator into such account.

Court or person before whom affidavit may be sworn.

303. Any affidavit required to be sworn under the provisions or for the purpose of this part may be sworn in such manner and before such authority, as from time to time, the High Court may prescribe for the purposes of the Civil Procedure Code.

Rules.

Power of High Court to make rules.

304. (1) The High Court may, from time to time, make rules consistent with this Regulation and with the Code of Civil Procedure for the time being in force concerning the mode of proceedings to be had for winding up a company and for voluntary winding up (both members and creditors), for the holding of meetings of creditors and members in connection with proceedings under Section 192 of this Regulation, and for giving effect to the provisions hereinbefore contained as to the reduction of the capital and the sub-divisions of the shares of a company, and generally for all applications to be made to the Court under the provisions of this Regulation, and shall make rules providing for all matters relating to the winding up of companies which, by this Regulation, are to be prescribed.

(2) Without prejudice to the generality of the foregoing power, the High Court may by such rules enable or require all or any of the powers and duties conferred and imposed on the Court by this Regulation, in respect of the matters following, to be exercised or performed by the official liquidator, and subject to the control of the Court, that is to say, the powers and duties of the Court in respect of—

(*a*) holding and conducting meetings to ascertain the wishes of creditors and contributories ;

(*b*) settling list of contributories and rectifying the register of members where required, and collecting and applying the assets;

(*c*) requiring delivery of property or documents to the liquidator;

(*d*) making calls;

(*e*) fixing a time within which debts and claims must be proved:

Provided that the official liquidator shall not without the special leave of the Court, rectify the register of members, and shall not make any call without the special leave of the Court.

Removal of Defunct Companies from Register.

305 (1) Where the Registrar has reasonable cause to believe that a company is not carrying on business or in operation, he shall send to the company by post or anchal a letter inquiring whether the company is carrying on business or in operation.

Registrar may strike defunct company off register.

(2) If the Registrar does not within one month of sending the letter receive any answer thereto, he shall within fourteen days after the expiration of the month send to the company by post or anchal a registered letter referring to the first letter, and stating that no answer thereto has been received and that, if an answer is not received to the second letter within one month from the date thereof, a notice will be published in Our Government Gazette with a view to striking the name of the company off the register.

(3) If the Registrar either receives an answer from the company to the effect that it is not carrying on business or in operation, or does not within one month after sending the second letter receive any answer, he may publish in Our Government Gazette, and send to the company by post or anchal a notice that, at the expiration of three months from the date of that notice, the name of the company mentioned therein, will, unless cause is shown to the contrary, be struck off the register and the company will be dissolved.

(4) If, in any case where a company is being wound up, the Registrar has reasonable cause to believe either that no liquidator is acting or that the affairs of the company are fully wound up, and the returns required to be made by the liquidator have not been made for a period of six consecutive months after notice by the Registrar demanding the returns has been sent by post or anchal to the company or to the liquidator at his last known place of business, the Registrar may publish in Our Government Gazette and send to the company a like notice as is provided in the last preceding sub-section.

(5) At the expiration of the time mentioned in the notice the Registrar may, unless cause to the contrary is previously shown by the company, strike its name off the register, and shall publish notice thereof in Our Government Gazette, and on the publication in the Government Gazette of this notice, the company shall be dissolved provided that the liability (if any) of every director and member of the company shall continue and may be enforced as if the company had not been dissolved.

(6) If a company or any member or creditor thereof feels aggrieved by the company having been struck off the register, the Court, on the application of the company or member or creditor, may, if satisfied that the company was at the time of the striking off carrying on business or in operation, or otherwise that it is just that the company be restored to the register, order the name of the company to be restored to the register, and thereupon the company shall be deemed to have continued in existence as if its name had not been struck off; and the Court may by the order give such directions and make such provisions as seem just for placing the company and all other persons in the same position as nearly as may be as if the name of the company had not been struck off.

(7) A letter or notice under this section may be addressed to the company at its registered office, or, if no office has been registered, to the care of some director, manager or other officer of the company, or if there is no director, manager or other officer of the company whose name and address are known to the Registrar, may be sent to each of the persons who subscribed the memorandum, addressed to him at the address mentioned in the memorandum.

PART VI.

Registration office and fees.

306. (1) For the purposes of the registration of companies under this Regulation, there shall be an office at such place as Our Government think fit and no company shall be registered except at such office.

Registration office.

(2) Our Government may appoint a Registrar for the registration of companies under this Regulation and may make regulations with respect to his duties.

(3) The salary of the person appointed under this section shall be fixed by Our Government.

(4) Our Government may direct a seal or seals to be prepared for the authentication of documents required for or connected with the registration of companies.

(5) Any person may inspect the documents kept by the Registrar on payment of such fees as may be appointed by Our Government, not exceeding one rupee for each inspection; and any person may require a certificate of the incorporation of any company, or a copy or extract of any other document or any part of any other document, to be certified by the Registrar on payment, for the certificate, certified copy or extract, of such fees as Our Government may appoint, not exceeding three rupees for a certificate of incorporation, and not exceeding four chuckrams for every hundred words or fractional part thereof required to be copied.

(6) Whenever any act is by this Regulation directed to be done to or by the Registrar, it shall, until Our Government otherwise direct, be done to or by the existing Registrar of Joint Stock Companies or in

his absence to or by such person as Our Government may for the time being authorise.

307. (1) There shall be paid to the Registrar in respect of the several matters mentioned in Table B in the First Schedule the several fees therein specified, or such smaller fees as Our Government may direct.

Fees.

(2) All fees paid to the Registrar in pursuance of this Regulation shall be accounted for to Our Government.

308. (1) If a company, having made default in complying with any provision of this Regulation which requires it to file with, deliver or send to the Registrar any return, account or other document, or to give notice to him of any matter, fails to make good the default within fourteen days after the service of a notice by the Registrar on the company requiring it to do so, the Court may, on an application made to the Court by any member or creditor of the company or by the Registrar, make an order directing the company and any officer thereof to make good the default within such time as may be specified in the order.

Enforcing submission of returns and documents to Registrar.

(2) Any such order may provide that all costs of and incidental to the application shall be borne by the company or by any officers of the company responsible for the default.

(3) Nothing in this section shall be taken to prejudice the operation of any enactment imposing penalties on a company or its officers in respect of any such default as aforesaid.

PART VII.

Application of Regulation to Companies formed and registered under the Companies Regulation I of 1063 and I of 1092.

309. In the application of this Regulation to existing companies, it shall apply in the same manner in the case of a limited company, other than a company limited by guarantee as if the company had been formed and registered under this Regulation as a company limited by shares; in the case of a company limited by guarantee as if the company had been formed and registered under this Regulation as a company limited by guarantee; and, in the case of a company other than a limited company, as if the company had been formed and registered under this Regulation as an unlimited company:

Application of Regulation to companies formed under Regulation I of 1063 and I of 1092.

Provided that—

(1) nothing in Table A in the First Schedule shall apply to a company formed and registered under the Companies Regulation I of 1063 and I of 1092;

(2) reference, express or implied, to the date of registration shall be construed as a reference to the date at which the company was registered under the Travancore Companies Regulations, I of 1063 and I of 1092.

310. This Regulation shall apply to every company registered but not formed under the Travancore Companies Regulations, I of 1063 and I of 1092 in the same manner as it is hereinafter in this Regulation declared to apply to companies registered but not formed under this Regulation :

Application of Regulation to companies registered but not formed under Regulation I of 1063 and I of 1092.

Provided that reference, express or implied, to the date of registration shall be construed as a reference to the date at which the company was registered under the said Regulation.

PART VIII.

Companies authorised to register under this Regulation.

311. (1) With the exceptions and subject to the provisions mentioned and contained in this section any company formed after the eighteenth day of Dhanu 1063 and before or after the commencement of this Regulation, in pursuance of any other Regulation or Proclamation or being otherwise duly constituted according to law, and consisting of seven or more members, may at any time register under this Regulation as an unlimited company or as a company limited by shares, or as a company limited by guarantee ; and the registration shall not be invalid by reason that it has taken place with a view to the company being wound up ;

Companies capable of being registered.

(2) Provided as follows :—

(a) a company having the liability of its members limited by any Regulation or Proclamation and not being a joint stock company as hereinafter defined, shall not register in pursuance of this section ;

(b) a company having the liability of its members limited by any Regulation or Proclamation shall not register in pursuance of this section as an unlimited company or as a company limited by guarantee :

(c) a company that is not a joint stock company as hereinafter defined shall not register in pursuance of this section as a company limited by shares ;

(d) a company shall not register in pursuance of this section without the assent of a majority of such of its members as are present in person or by proxy (in cases where proxies are allowed by the articles) at a general meeting summoned for the purpose ;

(e) where a company not having the liability of its members limited by any Regulation or Proclamation is about to register as a limited company, the majority required to assent as aforesaid shall consist of not less than three-fourths of the members present in person or by proxy at the meeting ;

(f) where a company is about to register as a company limited by guarantee, the assent to its being so registered shall be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the company, in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company contracted before he ceased to be a member, and of the costs and expenses of winding-up, and for the adjustment of the rights of the contributories among themselves such amount as may be required not exceeding a specified amount.

(3) In computing any majority under this section when a poll is demanded, regard shall be had to the number of votes to which each member is entitled according to the articles.

(4) A company registered under the Companies Regulations I of 1063 and I of 1092 shall not be registered in pursuance of this Section.

Definition of joint-stock company.

312. For the purposes of this Part as far as relates to registration of companies as companies limited by shares, a joint-stock company means a company having a permanent paid-up or nominal share capital of fixed amount divided into shares, also of fixed amount, or held and transferable as stock, or divided and held partly in one way and partly in the other, and formed on the principle of having for its members the holders of those shares or that stock and no other persons; and such a company, when registered with limited liability under this Regulation, shall be deemed to be a company limited by shares.

Requirements for registration by joint-stock companies.

313. Before the registration in pursuance of this part of a joint-stock company, there shall be delivered to the Registrar the following documents (that is to say) :—

(1) a list showing the names, addresses and occupations of all persons who on a day named in the list, not being more than six clear days before the day of registration, were members of the company, with the addition of the shares or stock held by them respectively distinguishing, in cases where the shares are numbered, each share by its number;

(2) a copy of any Regulation or Proclamation, deed of settlement, contract of co-partnery or other instrument constituting or regulating the company; and

(3) if the company is intended to be registered as a limited company, a statement specifying the following particulars (that is to say) :—

(a) the nominal share capital of the company and the number of shares into which it is divided or the amount of stock of which it consists;

(b) the number of shares taken and the amount paid on each share;

(c) the name of the company, with the addition of the word "limited" as the last word thereof; and

(d) in the case of a company intended to be registered as a company limited by guarantee, the resolution declaring the amount of the guarantee.

314. Before the registration in pursuance of this Part of any company not being a joint stock company, there shall be delivered to the Registrar :—

Requirements for registration by other than joint-stock companies.

(1) a list showing the names, addresses and occupations of the directors of the company; and

(2) a copy of any Regulation or Proclamation, deed of settlement, contract of co-partnery or other instrument constituting or regulating the company; and

(3) in the case of a company intended to be registered as a company limited by guarantee, a copy of the resolution declaring the amount of the guarantee.

315 The list of members and directors and any other particulars relating to the company required to be delivered to the Registrar shall be duly verified by a declaration of any two or more directors or other principal officers of the company.

Authentication of statement of existing companies

316. The Registrar may require such evidence as he thinks necessary for the purpose of satisfying himself whether any company proposing to be registered is or is not a joint-stock company as hereinbefore defined.

Registrar may require evidence as to nature of company.

317 (1) Where a banking company, which was in existence on the first day of Thulam 1092 proposes to register as a limited company, it shall at least thirty days before so registering, give notice of its intention so to register to every person who has a banking account with the company, either by delivery of the notice to him, or by posting to him at, or delivering it at his last known address.

On registration of banking company with limited liability, notice to be given to customers.

(2) If the company omits to give the notice required by this section, then as between the company and the person for the time being interested in the account in respect of which the notice ought to have been given, and so far as respects the account down to the time at which notice is given, but not further or otherwise, the certificate of registration with limited liability shall have no operation.

318. No fees shall be charged in respect of the registration in pursuance of this part of a company if it is not registered as a limited company, or if before its registration as a limited company the liability of the shareholders was limited by some Regulation or Proclamation.

Exemption of certain companies from payment of fees.

319. When a company registers in pursuance of this Part with limited liability, the word "limited" shall form and be registered as part of its name.

Addition of "Limited" to name.

320. On compliance with the requirements of this part with respect to registration and on payment of such fees, if any, as are payable under Table B in the First Schedule, the Registrar shall certify under his hand that the company applying for registration is incorporated as a company under this Regulation and in the case of a limited company that it is limited, and thereupon the company shall be incorporated and shall have perpetual succession and a common seal.

Certificate of registration of existing companies.

321. All property, movable and immovable, including all interests and rights in, to and out of property movable and immovable and including obligations and actionable claims as may belong to or be vested in a company at the date of its registration in pursuance of this Part, shall on registration pass to and vest in the company as incorporated under this Regulation for all the estate and interest of the company therein.

Vesting of property on registration.

322. The registration of a company in pursuance of this Part shall not affect the rights or liabilities of the company in respect of any debt or obligation incurred or any contract entered into, by, to, with or on behalf of the company before registration.

Saving of existing liabilities.

323. All suits and other legal proceedings which at the time of the registration of a company in pursuance of this Part are pending by or against the company, or the public officer or any member thereof, may be continued in the same manner as if the registration had not taken place; nevertheless execution shall not issue against the effects of any individual member of the company on any decree or order obtained in any such suit or proceeding; but, in the event of the property and effects of the company being insufficient to satisfy the decree or order, an order may be obtained for winding up the company.

Continuation of existing suits.

324. When a company is registered in pursuance of this Part

Effect of registration under the Regulation.

(i) all provisions contained in any Regulation or Proclamation, deed of settlement, contract of copartnery, or other instrument constituting or regulating the company including in the case of a company registered as a company limited by guarantee the resolution declaring the amount of the guarantee, shall be deemed to be conditions and regulations of the company, in the same manner and with the same incidents as if so much thereof as would, if the company had been formed under this Regulation, have been required to be inserted in the memorandum, were contained in a registered memorandum, and the residue thereof were contained in registered articles;

(ii) all the provisions of this Regulation shall apply to the company and the members, contributories and creditors thereof in the same manner in all respects as if it had been formed under this Regulation, subject as follows (that is to say) :—

(a) the regulations in Table A in the First Schedule shall not apply unless adopted by special resolution ;

(b) the provisions of this Regulation relating to the numbering of shares shall not apply to any joint stock company whose shares are not numbered ;

(c) subject to the provisons of this section, the company shall not have power to alter any provision contained in any Regulation or Proclamation relating to the company ;

(d) in the event of the company being wound up, every person shall be a contributory, in respect of the debts and liabilities of the company contracted before registration, who is liable to pay or contribute to the payment of any debt or liability of the company contracted before registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves in respect of any such debt or liability or to pay or contribute to the payment of the costs and expenses of winding up the company, so far as relates to such debts or liabilities as aforesaid and every contributory shall be liable to contribute to the assets of the company, in the course of the winding up, all sums due from him in respect of any such liability as aforesaid ; and in the event of the death or insolvency of any contributory, the provision of this Regulation with respect to the legal representatives and heirs of deceased contributories, and with reference to the assignees of insolvent contributories shall apply ;

(iii) the provisions of this Regulation with respect to—

(a) the registration of an unlimited company as limited ;

(b) the powers of an unlimited company on registration as a limited company to increase the nominal amount of its share capital and to provide that a portion of its share capital shall not be capable of being called up except in the event of winding up ;

(c) the power of a limited company to determine that a portion of its share capital shall not be capable of being called up except in the event of winding up ;

shall apply notwithstanding any provisions contained in any Regulation or Proclamation, deed of settlement, contract of co-partnery, or other instrument constituting or regulating the company ;

(iv) nothing in this section shall authorise the company to alter any such provisions contained in any deed of settlement, contract of co-partnery or other instrument constituting or regulating the company, as would, if the company had originally been formed under this Regulation, have been required to be contained in the memorandum and are not authorised to be altered by this Regulation ;

(v) nothing in this Regulation shall derogate from any lawful power of altering its constitution or regulations which may by virtue

of any Regulation or Proclamation, deed of settlement, contract of co-partnery, or other instrument constituting or regulating the company, be vested in the company.

Power to substitute memorandum and articles for deed of settlement.

325. (1) Subject to the provisions of this section, a company registered in pursuance of this Part may by special resolution alter the form of its constitution by substituting a memorandum and articles for a deed of settlement.

(2) The provisions of this Regulation with respect to confirmation by the Court and registration of an alteration of the objects of a company shall, so far as applicable, apply to an alteration under this section with the following modifications :—

(*a*) there shall be substituted for the printed copy of the altered memorandum required to be filed with the Registrar a printed copy of the substituted memorandum and articles; and

(*b*) on the registration of the alteration being certified by the Registrar, the substituted memorandum and articles shall apply to the company in the same manner as if it were a company registered under this Regulation with that memorandum and those articles, and the company's deed of settlement shall cease to apply to the company.

(3) An alteration under this section may be made either with or without any alteration of the objects of the company under this Regulation.

(4) In this section, the expression "deed of settlement" includes any contract of co-partnery or other instrument constituting or regulating the company, not being a Regulation or Proclamation.

Power of Court to stay or restrain proceedings.

326. The provisions of this Regulation with respect to staying and restraining suits and legal proceedings against a company at any time after the presentation of a petition for winding up and before making of a winding-up order shall, in the case of a company registered in pursuance of this Part, where the application to stay or restrain is by a creditor, extend to suits and legal proceedings against any contributory of the company.

Suits stayed on winding-up order.

327. Where an order has been made for windingup a company registered in pursuance of this Part, no suit or other legal proceeding shall be commenced or proceeded with against the company or any contributory of the company in respect of any debt of the company except by leave of the Court, and subject to such terms as the Court may impose.

PART IX.

WINDING UP OF UNREGISTERED COMPANIES

328. For the purpose of this Part, the expression "unregistered company" shall not include a Railway Company, nor a company registered under the Travancore Companies Regulations I of 1063 and I of 1092 or under this Regulation, but save as aforesaid, shall include any partnership, association or company consisting of more than seven members.

Meaning of "unregistered company."

329. (1) Subject to the provisions of this Part, any unregistered company may be wound up under this Regulation and all the provisions of this Regulation with respect to winding-up shall apply to an unregistered company, with the following exceptions and additions :—

Winding up of unregistered companies.

(i) an unregistered company shall, for the purpose of determining the court having jurisdiction in the matter of the winding-up, be deemed to be registered in the place where its principal place of business is situate;

(ii) no unregistered company shall be wound up under this Regulation voluntarily or subject to supervision ;

(iii) the circumstances in which an unregistered company may be wound up are as follows (that is to say) :—

(*a*) if the company is dissolved, or has ceased to carry on business or is carrying on business only for the purpose of winding up its affairs ;

(*b*) if the company is unable to pay its debts ;

(*c*) if the Court is of opinion that it is just and equitable that the company should be wound up ;

(iv) an unregistered company shall, for the purposes of this Regulation be deemed to be unable to pay its debts—

(*a*) if a creditor, by assignment or otherwise, to whom the company is indebted in a sum exceeding five hundred rupees then due, has served on the company, by leaving at its principal place of business, or by delivering to the secretary, or some director, manager or principal officer of the company, or by otherwise serving in such manner as the Court may approve or direct, a demand under his hand requiring the company to pay the sum so due, and the company has for three weeks after the service of the demand neglected to pay the sum, or to secure or compound for it to the satisfaction of the creditor;

(*b*) if any suit or other legal proceeding has been instituted against any member for any debt or demand due or claimed to be due, from the company or from him in his character of member, and notice in writing of the institution of the suit or other legal proceeding having been served on the company by leaving the same at its principal place of business or by delivering it to the secretary, or some director, manager or principal officer of the company or by otherwise serving the same in such manner as the Court may approve or direct, the company has

not within ten days after service of the notice paid, secured or compounded for the debt or demand, or procured the suit or other legal proceeding to be stayed, or indemnified the defendant to his reasonable satisfaction against the suit or other legal proceeding, and against all costs, damages and expenses to be incurred by him by reason of the same;

(c) if execution or other process issued on a decree or order obtained in any Court in favour of a creditor against the company, or any member thereof as such or any person authorised to be sued as nominal defendant on behalf of the company, is returned unsatisfied; and

(d) if it is otherwise proved to the satisfaction of the Court that the company is unable to pay its debts.

(2) Nothing in this part shall affect the operation of any enactment which provides for any partnership, association or company being wound up or being wound up as a company or as an unregistered company, under any enactment repealed by this Regulation except that references in any such first-mentioned enactment to any such repealed enactment shall be read as references to the corresponding provision (if any) of this Regulation.

(3) Where a company incorporated outside Travancore which has been carrying on business in Travancore ceases to carry on business in Travancore it may be wound up as an unregistered company under this Part, notwithstanding that it has been dissolved or otherwise ceased to exist as a company under or by virtue of the laws of the country under which it was incorporated.

Contributories in winding up of unregistered companies

330. (1) In the event of an unregistered company being wound up every person shall be deemed to be a contributory who is liable to pay or contribute to the payment of any debt or liability of the company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves or to pay or contribute to the payment of the costs and expenses of winding up the company, and every contributory shall be liable to contribute to the assets of the company all sums due from him in respect of any such liability as aforesaid.

(2) In the event of any contributory dying or being adjudged insolvent, the provisions of this Regulation with respect to the legal representatives and heirs of deceased contributories, and to the assignees of insolvent contributories shall apply.

Power to stay or restrain proceedings.

331. The provisions of this Regulation with respect to staying and restraining suits and legal proceedings against a company at any time after the presentation of a petition for winding up and before the making of a winding-up order shall, in the case of an unregistered company, where the application to stay or restrain is by a creditor, extend to suits and legal proceedings against any contributory of the company.

332. Where an order has been made for winding up an unregistered company, no suit or other legal proceedings shall be proceeded with or commenced against any contributory of the company in respect of any debt of the company, except by leave of the Court, and subject to such terms as the Court may impose.

Suits stayed on winding-up order.

333. If an unregistered company has no power to sue and be sued in a common name or if for any reason it appears expedient, the Court may, by the winding-up order, or by any subsequent order, direct that all or any part of the property, movable or immovable, including all interests and rights in, to and out of the property, movable and immovable, and including obligations and actionable claims as may belong to the company or to trustees on its behalf, is to vest in the official liquidator by his official name, and thereupon the property or the part thereof specified in the order shall vest accordingly; and the official liquidator may, after giving such indemnity (if any) as the Court may direct, bring or defend in his official name any suit or other legal proceeding relating to that property, or necessary to be brought or defended for the purpose of effectually winding up the company and recovering its property.

Directions as to property in certain cases.

334. The provisions of this Part with respect to unregistered companies shall be in addition to, and not in restriction of, any provisions hereinbefore in this Regulation contained with respect to winding up companies by the Court, and the Court or official liquidator may exercise any powers or do any act in the case of unregistered companies which might be exercised or done by it or him in winding up companies formed and registered under this Regulation but an unregistered company shall not, except in the event of its being wound up, be deemed to be a company under this Regulation and then only to the extent provided by this part.

Provisions of this part cumulative.

PART X.

COMPANIES ESTABLISHED OUTSIDE TRAVANCORE.

335. (1) Every company incorporated outside Travancore which at the commencement of this Regulation has a place of business in Travancore, and every such company which after the commencement of this Regulation establishes such a place of business within Travancore shall, within six months from the commencement of this Regulation or within one month from the establishment of such place of business, as the case may be, file with the Registrar—

Requirements as to companies established outside Travancore.

(*a*) a certified copy of the charter, statutes or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language or in any of the vernacular languages of Travancore, a certified translation thereof;

(*b*) the full address of the registered or principal office of the company;

(*c*) a list of the directors and managers (if any) of the company;

(*d*) the names and addresses of some one or more persons resident in Travancore authorised to accept on behalf of the company service of process and any notices required to be served on the company;

(*e*) the full address of that office of the company in Travancore which is to be deemed the principal place of business in Travancore of the company;

and in the event of any alteration being made in any such instrument or in any such address or in the directors or managers or in the names or addresses of any such persons as the address of the office of its principal place of business aforesaid, the company shall, within the prescribed time, file with the Registrar a notice of the alteration.

(2) Any process or notice required to be served on the company shall be sufficiently served, if addressed to any person whose name has been so filed as aforesaid and left at or sent by post or anchal to the address which has been so filed.

(3) Every company to which this section applies shall in every year file with the Registrar—

(i) in a case whereby the law for the time being in force, of the country in which the company is incorporated such company is required to file with the public authority an annual balance-sheet, a copy of that balance-sheet, and if the balance-sheet does not contain all the information provided for in the form marked H in the Third Schedule, such supplementary statements as shall furnish such information; or

(ii) in a case where no such provision is made by the law, for the time being in force, of the country in which the company is incorporated such a statement in the form of a balance-sheet as such company would, if it were a company formed and registered under this Regulation, be required to file in accordance with the provisions of this Regulation:

Provided that Our Government may, by notification in Our Government Gazette, subject to such restrictions and conditions, if any, as Our Government may therein prescribe, exempt any such company or any class of such company from this requirement.

(4) Every company to which this section applies and which uses the word "Limited" as part of its name, shall—

(*a*) in every prospectus inviting subscriptions for its shares or debentures in Travancore, state the country in which the company is incorporated; and

(*b*) conspicuously exhibit on every place where it carries on business in Travancore the name of the company and the country in which the company is incorporated in letters easily legible in English characters, and also in the characters of one of the vernacular languages used in that place; and

(*c*) have the name of the company and of the country in which the company is incorporated mentioned in legible English characters in all bill-heads and letter paper, and in all notices, advertisements and other official publications of the company.

(5) Every company to which this section applies shall if the liability of the members of the company is limited cause notice of that fact to be stated in legible characters in every prospectus inviting subscriptions for its shares, and in all bill-heads and letter paper notices, advertisements and other official publications of the company in Travancore and to be affixed on every place where it carries on business.

(6) If any company to which this section applies fails to comply with any of the requirements of this section, the company, and every officer, or agent of the company, shall be liable to fine not exceeding five hundred rupees or, in the case of a continuing offence, fifty rupees for every day during which the default continues.

(7) For the purposes of this section—

(*a*) the expression "certified" means certified in the prescribed manner to be a true copy or a correct translation;

(*b*) the expression "place of business" includes a share transfer or share registration office;

(*c*) the expression "director" includes any person occupying the position of director, by whatever name called; and

(*d*) the expression "prospectus" means any prospectus notice, circular, advertisement or other invitation, offering to the public for subscription or purchase any shares or debentures of the company.

(8) There shall be paid to the Registrar for registering any document required by this section to be filed with him a fee of five rupees or such smaller fee as may be prescribed.

Restriction on sale and offer for sale of shares.

336. (1) It shall not be lawful for any person—

(*a*) to issue, circulate or distribute in Travancore any prospectus offering for the subscription shares in or debentures of a company incorporated or to be incorporated outside Travancore whether the company has or has not established, or when formed will or will not establish, a place of business in Travancore unless—

(i) before the issue, circulation or distribution of the prospectus in Travancore a copy thereof, certified by the chairman and two other directors of the company as having been approved by resolution of the managing body has been delivered for registration to the Registrar;

(ii) the prospectus states on the face of it that the copy has been so delivered;

(iii) the prospectus is dated; and

(iv) the prospectus otherwise complies with this Part; or

(*b*) to issue to any person in Travancore a form of application for shares in or debentures of such a company or intended company as aforesaid, unless the form is issued with a prospectus which complies with this Part:

Provided that this provision shall not apply if it is shown that the form of application was issued in connection with a *bona fide* invitation to a person to enter into an under-writing agreement with respect to the shares or debentures.

(2) This section shall not apply to the issue to existing members or debenture-holders of a company of a prospectus or form of applications relating to shares in or debentures of the company, whether an applicant for shares or debentures will or will not have the right to renounce in favour of other persons, but, subject as aforesaid, this section shall apply to a prospectus or form of application whether issued on or with reference to the formation of a company or subsequently.

(3) Where any document by which any shares in or debentures of a company incorporated outside Travancore or offered for sale to the public would, if the company concerned had been a company within the meaning of this Regulation have been deemed by virtue of Section 128 to be a prospectus issued by the company that document shall be deemed to be, for the purposes of this section, a prospectus issued by the company.

(4) An offer of shares or debentures for subscription or sale to any person whose ordinary business or part of whose ordinary business it is to buy or sell shares or debentures, whether as principal or agent shall not be deemed an offer to the public for the purpose of this section.

(5) Any person who is knowingly responsible for the issue, circulation or distribution of any prospectus, or for the issue of a form of application for shares or debentures, in contravention of the provisions of this section shall be liable to a fine not exceeding five thousand rupees.

(6) In this section and in Section 337 the expressions 'prospectus' 'share' and 'debentures' have the same meanings as when used in relation to a company incorporated under this Regulation.

Requirements as to prospectus.

337. (1) In order to comply with this Part a prospectus, in addition to complying with the provisions of sub-clauses (ii) and (iii) of clause (*a*) of sub-section (1) of Section 336, must—

(*a*) contain particulars with respect to the following matters :—

(i) the objects of the company;

(ii) the instrument constituting or defining the constitution of the company;

(iii) the enactments, or provisions having the force of an enactment, by or under which the incorporation of the company was effected;

(iv) an address in Travancore where the said instrument, enactments or provisions, or copies thereof, and if the same are in a foreign language a translation thereof in the English language certified in the prescribed manner, can be inspected;

(v) the date on which and the country in which the company was incorporated;

(vi) whether the company has established a place of business in Travancore and, if so, the address of its principal office in Travancore:

Provided that the provisions of sub-clauses (i), (ii) and (iii) of this clause shall not apply in the case of a prospectus issued more than two

years after the date at which the company is entitled to commence business

(b) subject to the provisions of this section, state the matters specified in sub section (2) of Section 122 and set out the reports specified in that section :

Provided that—

(i) where any prospectus is published as a newspaper advertisement, it shall be a sufficient compliance with the requirement that the prospectus must specify the objects of the company if the advertisement specifies the primary object with which the company was formed; and

(ii) in Section 122 of this Regulation a reference to the articles of the company shall be deemed to be a reference to the constitution of the company.

(2) Any condition requiring or binding any applicant for shares or debentures to waive compliance with any requirement of this section, or purporting to affect him with notice of any contract document, or matter not specifically referred to in the prospectus, shall be void.

(3) In the event of non-compliance with or contravention of any of the requirements of this section, a director or other person responsible for the prospectus shall not incur any liability by reason of the non-compliance or contravention, if—

(a) as regards any matter not disclosed, he proves that he was not cognisant thereof; or

(b) he proves that the non-compliance or contravention arose from an honest mistake of fact on his part ; or

(c) the non-compliance or contravention was in respect of matters which, in the opinion of the Court dealing with the case, were immaterial or were otherwise such as ought, in the opinion of that Court, having regard to all the circumstances of the case, reasonably to be excused;

Provided that in the event of failure to include in a prospectus a statement with respect to the matters, specified in clause (o) of sub-section (1) of Section 122 no director or other person shall incur any liability in respect of the failure unless it be proved that he had knowledge of the matters not disclosed.

(4) Nothing in this section shall limit or diminish any liability which any person may incur under the general law or this Regulation apart from this section.

Restriction on canvassing for sale of shares.

338. (1) It shall not be lawful for any person to go from house to house offering shares of a company incorporated outside India for subscription or purchase to the public or any member of the public.

(2) In this sub-section the expression 'house' shall not include an office used for business purposes.

(3) Any person acting in contravention of this section shall be liable to a fine not exceeding rupees one hundred.

339. The provisions of Sections 142 to 151 both inclusive and 154 to 159 both inclusive shall extend to charges on properties in Travancore which are created and to charges on property in Travancore which is acquired after the commencement of this Regulation by a company incorporated outside Travancore which has an established place of business in Travancore:

Registration of charges.

Provided that references in the said section to the registered office of the company shall be deemed to be references to the principal place of business in Travancore of the company:

Provided further that where a charge is created outside Travancore or the completion of the acquisition of property takes place outside Travancore sub-clause (i) of the proviso to sub-section (1) of Section 142 and the proviso to sub-section (1) of Section 143 shall apply as if the property wherever situated were situated outside Travancore.

340. The provisions of Sections 152 and 153 shall *mutatis mutandis* apply to the case of all companies incorporated outside Travancore but having an established place of business in Travancore and the provisions of Section 164 shall apply to such companies to the extent of requiring them to keep at their principal place of business in Travancore the books of account required by that section with respect to money received and expended, sales and purchases made, and assets and liabilities in relation to its business in Travancore:

Notice of appointment of receiver.

Provided that references in the said sections to the registered office of the company shall be deemed to be references to the principal place of business in Travancore of the company.

PART XI.

Banking Companies.

341. A 'banking company' means a company which carries on as its principal business the accepting of deposits of money on current account or otherwise, subject to withdrawal by cheque, draft or order, notwithstanding that it engages in addition in any one or more of the following forms of business, namely :—

Definition of banking company.

(1) the borrowing, raising or taking up of money, the lending or advancing of money either upon or without security, the drawing, making, accepting, discounting, buying, selling, collecting and dealing in bills of exchange, hundies, promissory notes, coupons, drafts, bills of lading, railway receipts, warrants, debentures, certificates, scrips and other instruments, and securities whether transferable or negotiable or not; the granting and issuing of letters of credit, travellers' cheques and circular notes; the buying, selling and dealing in bullion and specie, the buying and selling of foreign exchange including foreign bank notes, the

acquiring, holding, issuing on commission, under-writing and dealing in stock, funds, shares, debentures, debenture stock, bonds, obligations, securities, and investments of all kinds; the purchasing and selling of bonds, scrips or other forms of securities on behalf of constituents or others, the negotiating of loans and advances, the receiving of all kinds of bonds, scrips or valuables on deposit, or for safe custody or otherwise; the collecting and transmitting of money and securities;

(2) acting as agents for Governments or local authorities or for any other person or persons; the carrying on of an agency business of any description other than the business of a managing agent of a company not being a banking company including the power to act as attorneys and to give discharges and receipts;

(3) contracting for public and private loans and negotiating and issuing the same;

(4) the promoting, effecting, insuring, guaranteeing, underwriting, participating in managing and carrying out of any issue, public or private, of State, municipal or other loans or of shares, stock, debentures, or debenture stock of any company, corporation or association and the lending of money for the purpose of any such issue;

(5) carrying on and transacting every kind of guarantee and indemnity business;

(6) promoting or financing or assisting in promoting or financing any business undertaking or industry, either existing or new, and developing or forming the same either through the instrumentality of syndicates or otherwise;

(7) acquisition by purchase, lease, exchange, hire or otherwise of any property immovable or movable and any rights or privileges which the company may think necessary or convenient to acquire or the acquisition of which in the opinion of the company is likely to facilitate the realisation of any securities held by the company or to prevent or diminish any apprehended loss or liability;

(8) managing, selling and realising all property movable and immovable which may come into the possession of the company in satisfaction or part satisfaction of any of its claims;

(9) acquiring and holding and generally dealing with any property and any right, title or interest in any property movable or immovable which may form part of the security for any loans or advances or which may be connected with any such security:

(10) undertaking and executing trusts;

(11) undertaking the administration of estates as executor, trustee or otherwise;

(12) taking or otherwise acquiring and holding shares in any other company having objects similar to those of the company;

(13) establishing and supporting or aiding in the establishment and support of associations, institutions, funds, trusts and conveniences calculated to benefit employees or ex-employees of the company or the dependents or connections of such persons; granting pensions and allowances and making payments towards insurance;

subscribing to or guaranteeing moneys for charitable or benevolent objects or for any exhibition or for any public, general or useful object;

(14) the acquisition, construction, maintenance and alteration of any building or works necessary or convenient for the purposes of the company;

(15) selling, improving, managing, developing, exchanging, leasing, mortgaging, disposing of or turning into account or otherwise dealing with all or any part of the property and rights of the company;

(16) acquiring and undertaking the whole or any part of the business of any person or company, when such business is of a nature enumerated or described in this section;

(17) doing all such other things as are incidental or conducive to the promotion or advancement of the business of the company:

Provided that the starting of chitties shall not be deemed to be incidental or conducive to the promotion or advancement of the business of the Company.

Limitation of activities of banking company.

342. (1) No company formed after the commencement of this Regulation for the purpose of carrying on business as a banking company or which uses as part of the name under which it proposes to carry on business the word 'bank', 'banker' or 'banking' shall be registered under this Regulation unless the memorandum limits the objects of the company to the carrying on of the business of accepting deposits of money on current account or otherwise subject to withdrawal by cheque, draft or otherwise along with some or all of the forms of business specified in Section 341.

(2) No banking company whether incorporated in or outside Travancore shall after the expiry of two years from the commencement of this Regulation carry on any form of business other than those specified in Section 341.

This shall not however apply to chitties started before the commencement of this Regulation:

Provided that Our Government may, by notification in Our Government Gazette, specify in addition to the business set forth in clauses (1) to (17) of Section 341 other forms of business which it may be lawful under this section for a banking company to engage in.

Banking company not to employ managing agent.

343. No banking company shall after the expiry of two years from the commencement of this Regulation employ or be managed by a managing agent other than a banking company for the management of the company.

Restriction on commencement of business by banking company.

344. No banking company incorporated under this Regulation shall commence business, unless shares have been allotted to an amount sufficient to yield a sum of at least fifty thousand rupees as working capital and unless a declaration duly verified by an affidavit signed by the directors and the manager that such a sum has been received by way of paid-up capital has been filed with the Registrar.

345. No banking company shall create any charge upon any unpaid capital of the company, and any such charge shall be invalid.

Prohibition of charge on unpaid capital.

346. (1) Every banking company shall, after the commencement of this Regulation, maintain a reserve fund.

Reserve fund.

(2) Every banking company shall out of the declared profits of each year and before any dividend is declared transfer a sum equivalent to not less than twenty per cent. of such profits to the reserve fund until the amount of the said fund is equal to the paid-up capital.

(3) A banking company shall invest the amount standing to the credit of its reserve fund in Government securities or keep deposited in a special account to be opened by the company for the purpose in a bank approved and notified by Our Government:

Provided that the provisions of the sub-section shall not apply to a banking company incorporated before the commencement of this Regulation till after the expiry of two years from the commencement of the said Regulation.

347. (1) Every banking company shall maintain by way of cash reserve in cash a sum equivalent to at least one and a half per cent. of the time liabilities and five per cent. of the demand liabilities of such company and shall file with the Registrar before the tenth day of every month a statement of the amount so held on the Friday of each week of the preceding month with particulars of the time and demand liabilities of each such day.

Cash reserve.

(2) For the purposes of sub-section (1) 'demand liabilities' means liabilities which must be met on demand and 'time liabilities' means liabilities which are not demand liabilities.

(3) If default is made in complying with the requirements of Section 342, Section 343, Section 344, Section 345, Section 346, or Section 348 or with the requirements of this section as to the maintenance of a cash reserve, every director or other officer of the company who is knowingly and wilfully a party to the default shall be liable to a fine not exceeding five hundred rupees for every day during which the default continues, and, if default is made in complying with the requirements of this section as to the filing of the statement referred to in sub-section (1), to a fine not exceeding one hundred rupees for every day during which the default continues.

348. (1) A banking company shall not form any subsidiary company except a subsidiary company formed for the purpose of undertaking and executing trusts, undertaking the administration of estates as executor, trustee or otherwise and such other purposes set forth in Section 341 as are incidental to the business of accepting deposits of money on current account or otherwise.

Restriction on nature of subsidiary companies.

(2) Save as provided in sub-section (1) a banking company shall not hold shares in any company whether as pledgee, mortgagee or absolute owner of an amount exceeding forty per cent. of the issued share capital of that company:

Provided that nothing in this sub-section shall apply to shares held by a banking company before the commencement of the Travancore Companies Regulation.

Power of Court to stay proceedings.

349. (1) The Court may on the application of a banking company which is temporarily unable to meet its obligations make an order staying the commencement or continuance of all actions and proceedings against the company for a fixed period of time on such terms and conditions as it shall think fit and proper and may from time to time extend the period.

(2) No such application shall be maintainable unless accompanied by a report of the Registrar:

Provided, however, the Court may, for sufficient reasons, grant interim relief, even if the application is not accompanied by such report.

(3) The Registrar shall for the purposes of his report be entitled at the cost of the company to investigate the financial condition of the company and for such purpose to have the books and documents of the company examined by an accountant holding a certificate issued under Section 182.

PART XII.

SUPPLEMENTAL.

Legal Proceedings, Offences, etc.

Cognizance of offences.

350. (1) No Court inferior to that of a Magistrate of the First Class shall try any offences against this Regulation.

(2) Notwithstanding anything in the Code of Criminal Procedure, every offence against this Regulation shall, for the purposes of the said Code, be deemed to be non-cognizable.

(3) An appeal from any conviction of a Magistrate under this Regulation shall lie to the Court to which appeals from convictions by such Magistrate ordinarily lie.

Application of fines.

351. The Court imposing any fine under this Regulation may direct that the whole or any part thereof be applied in or towards payment of the costs of the proceedings, or in or towards the rewarding of the persons on whose information the fine is recovered.

Power to require limited company to give security for costs.

352. Where a limited company is plaintiff, appellant or petitioner in any suit, appeal, or other legal proceeding, any Court having jurisdiction in the matter may, if it appears that there is reason to believe that the company will be unable to pay the cost of the defendant if successful in his defence, require sufficient security to be given for these costs, and may stay all proceedings until the security is given.

If such security be not furnished within such time as the Court orders, the Court may reject the suit, appeal or petition, or pass such other orders as it thinks fit.

Power of Court to grant relief in certain cases.

353. (1) If in any proceeding for negligence, default, breach of duty or breach of trust against a person to whom this section applies, it appears to the Court hearing the case that that person is or may be liable in respect of the negligence, default, breach of duty or breach of trust, but that he has acted honestly and reasonably, and that having regard to all the circumstances of the case including those connected with his appointment, he ought fairly to be excused for the negligence, default, breach of duty or breach of trust, that Court may relieve him, either wholly or partly, from his liability on such terms as the Court may think fit.

(2) Where any person to whom this section applies has reason to apprehend that any claim will or might be made against him in respect of any negligence, default, breach of duty or breach of trust, he may apply to the Court for relief, and the Court on any such application shall have the same power to relieve him as under this section it would have had if it had been a Court before which proceedings against that person for negligence, default, breach of duty or breach of trust had been brought.

(3) The persons to whom this section applies are the following:—

(*a*) directors of a company;

(*b*) managers and managing agents of a company;

(*c*) officers of a company;

(*d*) persons employed by a company as auditors, whether they are or are not officers of the company.

Penalty for false statement.

354. Whoever, in any return, report, certificate, balance-sheet or other document required by or for the purposes of any of the provisions of this Regulation, wilfully makes a statement false in any material particular knowing it to be false, shall be punishable with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Penalty for wrongful withholding of property.

355. Any director, managing agent, manager or other officer or employee of a company who wrongfully obtains possession of any property of a company, or having any such property in his possession wrongfully withholds it or wilfully applies it to purposes other than those expressed or directed in the articles and authorised by this Regulation shall, on the complaint of the company or any creditor or contributory thereof, be punishable with fine not exceeding one thousand rupees and may be ordered by the Court trying the offence to deliver up or refund within a time to be fixed by the Court any such property improperly obtained or wrongfully withheld or wilfully misapplied or in default to suffer imprisonment for a period not exceeding two years.

356. (1) All moneys or securities deposited with a company by its employees in pursuance of their contracts of service with the company, shall be kept or deposited by the company in a special account to be opened by the company for the purpose in such bank or banks approved and notified by Our Government and no portion thereof shall be utilised by the company except for the purposes agreed to in the contract of service.

Penalty for misapplication of securities by employers.

(2) When a provident fund has been constituted by a company for its employees or any class of its employees all moneys contributed to such fund (whether by the company or by the employees) or accruing by way of interest or otherwise to such fund after the commencement of this Regulation shall be invested in securities approved and notified by Our Government and all moneys belonging to such fund at the commencement of this Regulation which are not so invested shall be invested in such securities by annual instalments not exceeding ten in number and not less in amount in any year than one-tenth of the whole amount of such moneys.

(3) Notwithstanding anything to the contrary in the rules of any fund to which sub-section (2) applies or in any contract between a company and its employees, no employee shall be entitled to receive in respect of such portion of the amount to his credit in such fund as is invested in accordance with the provisions of sub-section (2) interest at a rate exceeding the rate of interest yielded by such investment.

(4) An employee shall be entitled on request made in this behalf to the company to see the bank's receipt for any money or security such as is referred to in sub-section (1) and sub-section (2).

(5) Any director, managing agent, manager or other officer of the company who knowingly contravenes or permits or authorises the contravention of the provisions of this section shall be liable on conviction to a fine not exceeding five hundred rupees.

357. If any person or persons trade or carry on business under any name or title of which "Limited" is the last word, that person or those persons shall, unless duly incorporated with limited liability, be liable to a fine not exceeding fifty rupees for every day upon which that name or title has been used.

Penalty for improper use of word "limited".

358. The provision of this Regulation with respect to winding up shall not apply to any company of which the winding up has commenced before the commencement of this Regulation but every such company shall be wound up in the same manner and with the same incidents as if this Regulation had not been passed, and for the purposes of the winding up, the Travancore Companies Regulation I of 1092 shall be deemed to remain in full force.

Saving of pending proceedings for winding up.

359. Every instrument or transfer or other document made before the commencement of this Regulation in pursuance of any enactment hereby repealed, shall be of the same force as if this Regulation had not been passed, and for the purposes of that instrument or document the repealed enactment shall be deemed to remain in full force.

Saving of document.

360. (1) The office existing at the commencement of this Regulation for registration of joint-stock companies shall be continued as if it had been established under this Regulation.

Former registration office, registers, and Registrar continued.

(2) Registers of companies kept in any such existing office shall respectively be deemed part of the registers of companies to be kept under this Regulation.

(3) The existing Registrar and the subordinate staff in his office shall, during the pleasure of Our Government, hold the offices and receive the salaries hitherto held and received by them, but subject to any regulations of Our Government with regard to the execution of their duties.

361. Nothing in this Regulation shall affect the provisions of the Travancore Life Assurance Companies Regulation IV of 1112 or of the Provident Insurance Societies Regulation III of 1108.

Savings for Travancore Life Assurance Companies Regulation IV of 1112 and Provident Insurance Societies Regulation III of 1108.

362. (1) The Travancore Companies Regulation I of 1092 is hereby repealed:

Repeal and savings.

Provided that the repeal shall not affect:

(a) the incorporation of any company registered under Regulation I of 1092; nor

(b) Table A in the First Schedule annexed to the Travancore Companies Regulation I of 1092 or any part thereof so far as the same applies to any company existing at the commencement of this Regulation.

(2) All fees directed, resolutions passed and other things duly done under Regulation I of 1092 shall be deemed to have been directed, passed or done under this Regulation.

(3) The mention of particular matters in this section or in any other section of this Regulation shall not prejudice the general application of Section 7 of the General Clauses Regulation, II of 1072, with regard to the effect of repeals.

SCHEDULES.

THE FIRST SCHEDULE.

(*See Sections 2, 17, 18, 84, and 324.*)

TABLE A.

REGULATION FOR MANAGEMENT OF A COMPANY LIMITED BY SHARES.

Preliminary.

1. In these regulations, unless the context otherwise requires expressions defined in the Travancore Companies Regulation, 1114, or any statutory modification thereof in force at the date at which these regulations become binding on the company, shall have the meanings so defined; and words importing the singular shall include the plural and *vice versa*, and words importing the masculine gender shall include females, and words importing persons shall include bodies corporate.

Business.

2. The directors shall have regard to the restrictions on the commencement of business imposed by Section 133 of the Travancore Companies Regulation, 1114, if, and so far as, those restrictions are binding upon the company.

Shares.

3. Subject to the provisions, if any, in that behalf of the memorandum of association of the company, and without prejudice to any special rights previously conferred on the holders of existing shares in the company, any share in the company may be issued with such preferred, deferred or other special rights, or such restrictions, whether in regard to dividend, voting, return of share capital, or otherwise, as the company may from time to time by special resolution determine, and any preference share may with the sanction of a special resolution be issued on the terms that it is or at the option of the company is liable to be redeemed.

4. If at any time the share capital is divided into different classes of shares, the rights attached to any class (unless otherwise provided by the terms of issue of the shares of that class) may subject to the provisions of Section 71 of the Travancore Companies Regulation, 1114 be varied with the consent in writing of the holders of three-fourths of the issued shares of that class, or with the sanction of an extraordinary resolution passed at a separate general meeting of the holders of the shares of the class. To every such separate general meeting the provisions of these regulations relating to general meetings shall *mutatis mutandis* apply, but so that the necessary quorum shall be two persons at least holding or representing by proxy one-third of the issued shares of the class.

5. No share shall be offered to the public for subscription except upon the terms that the amount payable on application shall be at least five per cent. of the nominal amount of the share; and the directors shall, as regards any allotment of shares, duly comply with such of the provisions of Sections 131 and 134 and of the Travancore Companies Regulation, 1114 as may be applicable thereto.

6. Every person whose name is entered as a member in the register of members shall, without payment, be entitled to a certificate under the common seal of the company specifying the share or shar s held by him and the amount paid up thereon: Provided that in respect of a share or shares held jointly by several persons the company shall not be bound to issue more than one certificate, and delivery of a certificate for share to one of several joint-holders shall be sufficient delivery to all.

7. If a share certificate is defaced, lost or destroyed, it may be renewed on payment of such fee, if any, not exceeding fourteen chakrams and on such terms, if any, as to evidence and indemnity as the directors think fit.

Except to the extent allowed by Section 58 of the Travancore Companies Regulation, 1114 no part of the funds of the company shall be employed in the purchase of, or in loans upon the security of the company's shares.

Lien.

9. The company shall have a lien on every share (not being a fully paid share) for all moneys (whether presently payable or not) called or payable at a fixed time in respect of that share, and the company shall also have a lien on all shares (other than fully-paid shares) standing registered in the name of a single person, for all moneys presently payable by him or his estate to the company; but the directors may at any time declare any share to be wholly or in part exempt from the provisions of this clause. The company's lien, if any, on a share shall extend to all dividends payable thereon.

10. The company may sell, in such manner as the director thinks fit, any shares on which the company has a lien, but no sale shall be made unless some sum in respect of which the lien exists is presently payable, nor until the expiration of fourteen days after a notice in writing, stating and demanding payment of such part of amount in respect of which the lien exists as is presently payable, has been given to the registered holder for the time being of the share, or the person entitled by reason of his death or insolvency to the share.

11. The proceeds of the sale shall be applied in payment of such part of the amount in respeet of which the lien exists as is presently payable, and the residue shall (subject to a like lien for sums not presently payable as existed upon the shares prior to the sale) be paid

to the person entitled to the shares at the date of the sale. The purchaser shall be registered as the holder of the shares, and he shall not be bound to see to the application of the purchase-money, nor shall his title to the shares be affected by any irregularity or invalidity in the proceedings in reference to the sale.

Calls on shares.

12. The directors may from time to time make calls upon the members in respect of any moneys unpaid on their shares, provided that no call shall exceed one-fourth of the nominal amount of the share or be payable at less than one month from the last call; and each member shall (subject to receiving at least fourteen days' notice specifying the time or times of payments) pay to the company at the time or times so specified the amount called on his shares.

13. The joint-holders of a share shall be jointly and severally liable to pay all calls in respect thereof.

14. If a sum called in respect of a share is not paid before or on the day appointed for payment thereof, the person from whom the sum is due shall pay interest upon the sum at the rate of five per cent. per annum from the day appointed for the payment thereof to the time of the actual payment: but the directors shall be at liberty to waive payment of that interest wholly or in part.

15. The provisions of these regulations as to the liability of the joint-holders, and as to the payment of interest shall apply in the case of non-payment of any sum which, by the terms of issue of a share, becomes payable at a fixed time, whether on account of the amount of the share, or by way of premium, as if the same had become payable by virtue of a call duly made and notified.

16. The directors may make arrangements on the issue of shares for a difference between the holders in the amount of calls to be paid and in the times of payment.

17. The directors may, if they think fit, receive from any member willing to advance the same all or any part of the moneys uncalled and unpaid upon any shares held by him. and upon all or any of the moneys so advanced may (until the same would, but for such advance become presently payable) pay interest at such rate (not exceeding, without the sanction of the company in general meeting, six per cent.) as may be agreed upon between the member paying the sum in advance and the directors.

Transfer and transmission of shares.

18. The instrument of transfer of any share in the company shall be executed both by the transferor and transferee, and the transferor shall be deemed to remain holder of the share until the name of the transferee is entered in the register of members in respect thereof.

19. Shares in the company shall be transferred in the following form, or in any usual or common form which the directors shall approve: I, A. B. of in consideration of the sum of rupees paid to me by C. D of (hereinafter called "the said transferee"), do hereby transfer to the said transferee the share [or shares] numbered in the undertaking called the Company, Limited, to hold unto the said transferee, his executors, administrators and assigns, subject to the several conditions on which I held the same at the time of the execution thereof, and I, the said transferee, do hereby agree to take, the said share [or shares] subject to the conditions aforesaid. As witness our hands the day of

Witness to the signatures of, etc.

20. The directors may decline to register any transfer of shares, not being fully paid shares, to a person of whom they do not approve, and may also decline to register any transfer of shares on which the company has a lien. The directors may also suspend the registration of transfers during the fourteen days immediately preceding the ordinary general meeting in each year. The directors may decline to recognise any instrument of transfer unless—

(a) a fee not exceeding two rupees is paid to the company in respect thereof; and

(b) the instrument of transfer is accompanied by the certificate of the shares to which it relates, and such other evidence as the directors may reasonably require to show the right of the transfer or to make the transfer.

If the directors refuse to register a transfer of any shares, they shall within two months after the date on which the transfer was lodged with the company send to the transferee and the transferor notice of the refusal.

21. The executors or administrators of a deceased sole holder of a share shall be the only persons recognised by the company as having any title to the share. In the case of a share registered in the names of two or more holders, or survivors, or survivor or the executors or administrators of the deceased survivor, shall be the only persons recognised by the company as having any title to the share.

22. Any person becoming entitled to a share in consequence of the death or insolvency of a member shall, upon such evidence being produced as may from time to time be required by the directors, have the right, either to be registered as a member in respect of the share or, instead of being registered himself, to make such transfer of the share as the deceased or insolvent person could have made; but the directors shall, in either case, have the same right to decline or suspend registration as they would have had in the case of a transfer of the share by the deceased or insolvent person before the death or insolvency.

23. A person becoming entitled to a share by reason of the death or insolvency of the holder shall be entitled to the same dividends and other advantages to which he could be entitled if he were the registered holder of the share, except that he shall not, before being registered as a member in respect of the share, be entitled in respect of it to exercise any right conferred by membership in relation to meetings of the company.

Forfeiture of shares.

24. If a member fails to pay any call or instalment of a call on the day appointed for payment thereof, the directors may, at any time thereafter during such time as any part of such call or instalment remains unpaid, serve a notice on him requiring payment of so much of the call or instalment as is unpaid, together with any interest which may have accrued.

25. The notice shall name a further day (not earlier than the expiration of fourteen days, from the date of the notice) on or before which the payment required by the notice is to be made, and shall state that, in the event of non-payment at or before the time appointed, the shares in respect of which the call was made will be liable to be forfeited.

26. If the requirements of any such notice as aforesaid are not complied with, any share in respect of which the notice has been given may at any time thereafter, before the payment required by the notice has been made, be forfeited by a resolution of the directors to that effect.

27. A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the directors think fit, and at any time before a sale or disposition the forfeiture may be cancelled on such terms as the directors think fit.

28. A person whose shares have been forfeited shall cease to be a member in respect of the forfeited shares, but shall, notwithstanding, remain liable to pay to the company all moneys which at the date of forfeiture, were presently payable by him to the company in respect of the shares, but his liability shall cease if and when the company received payment in full of the nominal amount of the shares.

29. A duly verified declaration in writing that the declarant is a director of the company, and that a share in the company has been duly forfeited on a date stated in the declaration, shall be conclusive evidence of the facts therein stated as against all persons claiming to be entitled to the share, and that declaration, and the receipt of the company for the consideration, if any, given for the share on the sale or disposition thereof, shall constitute a good title to the share, and the person to whom the share is sold or disposed of shall be registered as the holder of the share and shall not be bound to see to the application of the purchase money (if any), nor shall his title to the share be affected by any irregularity or invalidity in the proceedings in reference to the forfeiture, sale or disposal of the share.

30. The provisions of these regulations as to forfeiture shall apply in the case of non-payment of any sum which, by the terms of issue of a share, becomes payable at a fixed time, whether on account of the amount of the share, or by way of premium, as if the same had been payable by virtue of a call duly made and notified.

Conversion of shares into stock.

31 The directors may, with the sanction of the company previously given in general meeting, convert any paid-up shares into stock, and may with the like sanction re-convert any stock into paid-up shares of any denomination.

32. The holders of stock may transfer the same, or any part thereof in the same manner, and subject to the same regulations, as, and subject to which, the shares from which the stock arose might previously to conversion have been transferred, or as near thereto as circumstances admit, but the directors may from time to time fix the minimum amount of stock transferable and restrict or forbid the transfer of fractions of that minimum, but the minimum shall not exceed the nominal amount of the shares from which the stock arose.

33. The holders of stock shall, according to the amount of the stock held by them have the same rights, privileges and advantages as regards dividends, voting at meetings of the company, and other matters, as if they held the shares from which the stock arose, but no such privilege or advantage (except participation in the dividends and profits of the company) shall be conferred by any such aliquot part of stock as would not if existing in shares, have conferred that privilege or advantage.

34. Such of the regulations of the company (other than those relating to share-warrants), as are applicable to paid-up shares apply to stock, and the words "share" and "share-holder" therein shall include "stock" and "stock-holder".

Share-warrants.

35. The company may issue share-warrants and accordingly the directors may in their discretion, with respect to any share which is fully paid up, on application in writing signed by the person registered as holder of the share, and authenticated by such evidence (if any) as the directors may from time to time require as to the identity of the person signing the request, and on receiving the certificate (if any) of the share, and the amount of the stamp duty on the warrant and such fee as the directors may from time to time require, issue under the company's seal a warrant, duly stamped, stating that the bearer of the warrant is entitled to the shares therein specified, and may provide by coupons or otherwise for the payment of dividends, or other moneys on the shares included in the warrant.

36. A share-warrant shall entitle the bearer to the shares included in it and the share shall be transferred by the delivery of the share-warrant, and the provisions of the regulations of the company with respect to transfer and transmission of shares shall not apply thereto.

37. The bearer of a share-warrant shall, on surrender of the warrant to the company for cancellation, and on payment of such sum as the directors may from time to time prescribe, be entitled to have his name entered as a member in the register of members in respect of the shares included in the warrant.

38. The bearer of a share-warrant may at any time deposit the warrant at the office of the company and so long as the warrant remains so deposited, the depositor shall have the same right of signing a requisition for calling a meeting of the company, and of attending and voting and exercising the other privileges of a member at any meeting held after the expiration of two clear days from the time of deposit, as if his name were inserted in the register of members as the holder of the shares included in the deposited warrant. Not more than one person shall be recognised as the depositor of the share-warrant. The company shall, on two days' written notice, return the deposited share-warrant to the depositor.

39. Subject as herein otherwise expressly provided, no person shall as bearer of a share-warrant, sign a requisition for calling a meeting of the company, or attend, or vote or exercise any other privilege of a member at a meeting of the company, or be entitled to receive any notices from the company; but the bearer of a share-warrant shall be entitled in all other respects to the same privileges and advantages as if he were named in the register of members as the holder of the shares included in the warrant, and he shall be a member of the company.

40. The directors may from time to time make rules as to the terms on which (if they shall think fit) a new share-warrant or coupon may be issued by way of renewal in case of defacement, loss or destruction.

Alteration of Capital.

41. The directors may with the sanction of the company in general meeting increase the share capital by such sum, to be divided into shares of such amount, as the resolution shall prescribe.

42. Subject to any direction to the contrary that may be given by the resolution sanctioning the increase of share capital, all new shares shall, before issue, be offered to such persons as at the date of the offer are entitled to receive notices from the company of general meetings in proportion, as nearly as the circumstances admit to the amount of the existing shares to which they are entitled. The offer shall be made by notice specifying the number of shares offered, and limiting a time within which the offer, if not accepted, will be deemed to be declined, and after the expiration of that time, or on the receipt of an intimation from the person to whom the offer is made that he declines to accept the shares offered the directors may dispose of the same in such manner as they think most beneficial to the company. The directors may likewise so dispose of any new shares which (by reason of the ratio which the new shares bear to shares held by persons entitled to an offer of new shares) cannot, in the opinion of the directors, be conveniently offered under this article.

43. The new shares shall be subject to the same provisions with reference to the payment of calls, lien, transfer, transmission, forfeiture and otherwise as the shares in the original share capital.

44. The company may, by ordinary resolution, –

(a) consolidate and divide its share capital into shares of larger amount than its existing shares

(b) by sub-division of its existing shares or any of them, divide the whole or any part of its share capital into shares of smaller amount than is fixed by the memorandum of association, subject, nevertheless, to the provisions of paragraph (*d*) of sub-section (1) of Section 53 of the Travancore Companies Regulation

(c) cancel any shares which, at the date of the passing of the resolution, have not been taken or agreed to be taken by any person.

45. The company may, by special resolution, reduce its share capital in any manner and with, and subject to any incident authorised and consent required by law.

General Meetings.

46. The statutory general meeting of the company shall be held within the period required by Section 82 of the Travancore Companies Regulation.

47. A general meeting shall be held within eighteen months from the date of its incorporation and thereafter once at least in every year at such time (not being more than fifteen months after the holding of the last preceding general meeting) and place in Travancore as may be prescribed by the company in general meeting, or, in default, at such time in the month following that in which the anniversary of the company's incorporation occurs and at such place in Travancore as the directors shall appoint, in default of a general meeting being so held, a general meeting shall be held in the month next following and may be called by any two members in the same manner as nearly as possible as that in which meetings are to be called by the directors.

48. The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

49. The directors may, whenever they think fit, call an extraordinary general meeting, and extraordinary general meetings shall also be called on such requisition, or in default, may be called by such requisitionists as provided by Section 83 of the Travancore Companies Regulation, . If at any time there are not within Travancore sufficient directors capable of acting to form a quorum, any director or any two members of the company may call an extraordinary general meeting in the same manner as nearly as possible as that in which meetings may be called by the directors.

Proceedings at General Meeting.

50. Subject to the provisions of sub-section (2) of Section 86 of the Travancore Companies Regulation, , relating to special resolutions, fourteen days' notice at the least (exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given) specifying the place, the day and the hour of meeting and, in case of special business, the general nature of that business, shall be given in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the company in general meeting to such persons as are, under the Travancore Companies Regulation, or the Regulations of the company, entitled to receive such notices from the company; but the accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings at any general meeting.

51. All business shall be deemed special that is transacted at an extraordinary meeting and all that is transacted at an ordinary meeting with the exception of sanctioning a dividend, the consideration of the accounts, balance-sheets and the ordinary report of the directors and auditors, the election of directors and other officers in the place of those retiring by rotation, and the fixing of the remuneration of the auditors.

52. No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as herein otherwise provided, two members in the case of a private company and five members in the case of any other company personally present shall be a quorum.

53. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if called upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week at the same time and place, and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

54. The chairman, if any, of the board of directors shall preside as chairman at every general meeting of the company.

55. If there is no such chairman or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting, or is unwilling to act as chairman, the members present shall choose some one of their number to be chairman.

56. The chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for ten days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

57. At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless a poll is (before or on the declaration of the result of the show of hands) demanded in accordance with the provisions of clause (c) sub-section (1) of Section 84 of the Travancore Companies Regulation and unless a poll is so demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried, or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book of the proceedings of the company shall be conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

58. If a poll is duly demanded, it shall be taken in such manner as the chairman directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded,

59. In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting at which the show of hands takes place, or at which the poll is demanded, shall be entitled to a second or casting vote.

60. A poll demanded on the election of a chairman or on a question of adjournment shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the chairman of the meeting directs.

Votes of Members.

61. On a show of hands every member present in person shall have one vote. On a poll every member shall have one vote in respect of such share or each hundred rupee of stock held by him.

62. In the case of joint-holders, the vote of the senior who tenders a vote, whether in person or by proxy, shall be accepted to the exclusion of votes of the other joint-holders; and for this purpose seniority shall be determined by the order in which the names stand in the register of members.

63 A member of unsound mind, or in respect of whom an order has been made by any Court having jurisdiction in lunacy. may vote, whether on a show of hands or on a poll, by his committee or other legal guardian, and any such committee or guardian may, on a poll, vote by proxy.

64. No member shall be entitled to vote at any general meeting unless all calls or other sums presently payable by him in respect of shares in the company have been paid.

65. On a poll, votes may be given either personally or by proxy: Provided that no company shall vote by proxy as long as a resolution of the directors in accordance with provisions of Section 85 of the Travancore Companies Regulation, is in force.

66. The instrument appointing a proxy shall be in writing under the hand of the appointor or of his attorney duly authorised in writing or, if the appointor is a corporation either under the common seal, or under the hand of an officer or attorney so authorised. No person shall act as a proxy unless he is member of the company.

67. The instrument appointing a proxy and the power-of-attorney or other authority (if any) under which it is signed or a notarially certified copy of that power or authority, shall be deposited at the registered office of the company not less than seventy-two hours before the time for holding the meeting at which the person named in the instrument proposes to vote, and in default the instrument of proxy shall not be treated as valid.

68. An instrument appointing a proxy may be in the following form or any other form which the directors shall approve:—

Company, Limited.

"I of in the district of , being a member of the Company, Limited, hereby appoint of as my proxy to vote for me and on my behalf at the [ordinary or extraordinary, as the case may be] general meeting of the company to be held on the day of and at any adjournment thereof." Signed this day of

Directors.

69. The number of the directors and the names of the first directors shall be determined in writing by a majority of the subscribers of the memorandum of association.

70. The remuneration of the directors shall from time to time be determined by the company in general meeting.

71. The qualification of a director shall be the holding of at least one share in the company, and it shall be his duty to comply with the provisions of Section 92 of the Travancore Companies Regulation.

Powers and duties of Directors.

72. The business of the company shall be managed by the directors who may pay all expenses incurred in getting up and registering the company, and may exercise all such powers of the company as are not, by the Travancore Companies Regulation or any statutory modification thereof for the time being in force, or by these articles, required to be exercised by the company in general meeting, subject nevertheless to any regulation of these articles, to the provisions of the Regulation and to such regulations being not inconsistent with the aforesaid regulations or provisions, as may be prescribed by the company in general meeting: but no regulation made by the company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulation had not been made.

73. The directors may from time to time appoint one or more of their body to the office of managing director or manager for such term, and at such remuneration (whether by way of salary, or commission, or participation in profits, or partly in one way and partly in another) as they may think fit, and a director so appointed shall not, while holding that office, be subject to retirement by rotation, or taken into account in determining the rotation of retirement of directors, but his appointment shall be subject to determination *ipso facto* if he ceases from any cause to be a director, or if the company in general meeting resolve that his tenure of the office of managing director or manager be determined.

74. The amount for the time being remaining undischarged o· moneys borrowed or raised by the directors for the purposes of the company (otherwise than by the issue of share capital) shall not at any time exceed the issued share capital of the company without the sanction of the company in general meeting.

75. The directors shall duly comply with the provisions of the Travancore Companies Regulation, 1114 or any statutory modification thereof for the time being in force, and in particular with the provisions in regard to the registration of the particulars of mortgages and charges affecting the property of the company or created by it, and to keeping a register of the directors, and to sending to the registrar an annual list of members, and a summary of particulars relating thereto and notice of any consolidation or increase of share capital, or conversion of shares into stock, and copies of special resolutions and a copy of the register of directors and notifications of any changes therein.

76. The directors shall cause minutes to be made in books provided for the purpose—

(a) of all appointments of officers made by the directors;
(b) of the names of the directors present at each meeting of the directors and of any committee of the directors;
(c) of all resolutions and proceedings at all meetings of the company, and, of the directors, and of committees of directors;

and every director present at any meeting of directors or committee of directors shall sign his name in a book to be kept for that purpose.

The Seal.

77. The seal of the company shall not be affixed to any instrument except by the authority of a resolution of the board of directors, and in the presence of at least two directors and of the secretary or such other person as the directors may appoint for the purpose and these two directors and secretary or other person as aforesaid shall sign every instrument to which the seal of the company is so affixed in their presence.

Disqualifications of Directors.

78. The office of director shall be vacated if the director—

(a) fails to obtain within the time specified in sub-section (1) of Section 92 of the Travancore Companies Regulation 1114 or at any time thereafter ceases to hold, the share qualification, if any, necessary for his appointment; or
(b) is found to be of unsound mind by a Court of competent jurisdiction; or
(c) is adjudged insolvent; or
(d) fails to pay calls made on him in respect of shares held by him within six months from the date of such calls being made; or

(e) without the sanction of the company in general meeting accepts or holds any office of profit under the company other than that of a managing director or manager or a legal or technical advisor or a banker; or

(f) absents himself from three consecutive meetings of the directors or from all meetings of the directors for a continuous period of three months, whichever is longer, without leave of absence from the board of directors; or

(g) accepts a loan from the company; or

(h) is concerned or participates in the profits of any contract with the company, or

(i) is punished with imprisonment for a term exceeding six months:

Provided, however, that no director shall vacate his office by reason of his being a member of any company which has entered into contracts with, or done any work for, the company of which he is director, but a director shall not vote in respect of any such contract or work, and if he does so vote, his vote shall not be counted.

Rotation of Directors.

79. At the first ordinary meeting of the company, the whole of the directors shall retire from office, and at the ordinary meeting in every subsequent year, one-third of the directors for the time being or, if their number is not three or a multiple of three, then the number nearest to one-third shall retire from office.

80. The directors to retire in every year shall be those who have been longest in office since their last election, but as between persons who became directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

81. A retiring director shall be eligible for re-election.

82. The company at the general meeting at which a director retires in manner aforesaid may fill up the vacated office by electing a person thereto.

83. If at any meeting at which an election of directors ought to take place, the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week at the same time and place, and, if at the adjourned meeting the places of the vacating directors are not filled up, the vacating directors or such of them as have not had their places filled up shall be deemed to have been re-elected at the adjourned meeting.

84. Subject to the provisions of Sections 89 and 90 of the Travancore Companies Regulation the company may from time to time in general meeting increase or reduce the number of directors, and may also determine in what rotation the increased or reduced number is to go out of office.

85. Any casual vacancy occurring on the board of directors may be filled up by the directors, but the person so chosen shall be subject to retirement at the same time as if he had become a director on the

day on which the director in whose place he is appointed was last elected a director.

86. The directors shall have power at any time, and from time to time, to appoint a person as an additional director who shall retire from office at the next following ordinary general meeting, but shall be eligible for election by the company at that meeting as an additional director.

87. The company may by extraordinary resolution remove any director before the expiration of his period of office and may by an ordinary resolution appoint another person in his stead; the person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected a director.

Proceedings of Directors.

88. The directors may meet together for the despatch of business, adjourn and otherwise regulate their meetings, as they think fit. Questions arising at any meeting shall be decided by a majority of votes. In case of an equality of votes, the chairman shall have a second or casting vote. A director may, and the secretary on the requisition of a director shall, at any time, summon a meeting of directors.

89. The quorum necessary for the transaction of the business of the directors may be fixed by the directors and unless so fixed shall (when the number of directors exceeds three) be three.

90. The continuing directors may act notwithstanding any vacancy in their body, but if and so long as their number is reduced below the number fixed by or pursuant to the regulations of the company as the necessary quorum of directors, the continuing directors may act for the purpose of increasing the number of directors to that number, or of summoning a general meeting of the company, but for no other purpose.

91. The directors may elect a chairman of their meetings and determine the period for which he is to hold office; but if no such chairman is elected, or if at any meeting the chairman is not present within five minutes after the time appointed for holding the same the directors present may choose one of their number to be chairman of the meeting.

92. The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit; any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on them by the directors.

93. A committee may elect a chairman of their meetings; if no such chairman is elected, or if at any meeting the chairman is not present within five minutes after the time appointed for holding the same, the members present may choose one of their member to be chairman of the meeting.

94. A committee may meet and adjourn as they think proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in case of an equality of votes, the chairman shall have a second or casting vote.

95. All acts done by any meeting of the directors or of a committee of directors, or by any person acting as a director, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such directors or persons, acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

Dividends and Reserve.

96. The company in general meeting may declare dividends, but no dividends shall exceed the amount recommended by the directors.

97. The directors may from time to time pay to the members such interim dividends as appear to the directors to be justified by the profits of the company.

98. No dividends shall be paid otherwise than out of profits of the year or any other undistributed profits.

99. Subject to the rights of persons (if any) entitled to shares with special rights as to dividends, all dividends shall be declared and paid according to the amounts paid on the shares, but if and so long as nothing is paid upon any of the shares in the company, dividends may be declared and paid according to the amounts of the shares. No amount paid on a share in advance of calls shall, while carrying interest be treated for the purposes of this article as paid on the share.

100. The directors may, before recommending any dividend, set aside out of the profits of the company such sums as they think proper as a reserve or reserves which shall, at the discretion of the directors, be applicable for meeting contingencies, or for equalizing dividends, or for any other purpose to which the profits of the company may be properly applied, and pending such application, may, at the like discretion, either be employed in the business of the company or be invested in such investments (other than shares of the company) as the directors may from time to time think fit.

101. If several persons are registered as joint-holders of any share any one of them may give effectual receipts for any dividend payable on the share.

102. Notice of any dividend that may have been declared shall be given in manner hereinafter mentioned to the persons entitled to share therein.

103. No dividend shall bear interest against the company.

Accounts.

104. The directors shall cause to be kept proper books of account with respect to—

(*a*) all sums of money received and expended by the company and the matters in respect of which the receipt and expenditure take place ;

(*b*) all sales and purchases of goods by the company;

(*c*) the assets and liabilities of the company.

105. The books of account shall be kept at the registered office of the company or at such other place in Travancore as the directors shall think fit and shall be open to inspection by the directors during business hours.

106. The directors shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the company or any of them shall be open to the inspection of members not being directors, and no member (not being a director) shall have any right of inspecting any account or book or document of the company except as conferred by law or authorised by the directors or by the company in general meeting.

107. The directors shall as required by Sections 165 and 166 of the Travancore Companies Regulation cause to be prepared and to be laid before the company in general meeting such profit and loss accounts, or income and expenditure accounts, and balance sheets, and reports as are referred to in those sections.

108. The profit and loss account shall in addition to the matters referred to in sub-section (3) of Section 167 of the Travancore Companies Regulation, show, arranged under the most convenient heads, the amount of gross income, distinguishing the several sources from which it has been derived, and the amount of gross expenditure distinguishing the expenses of the establishment, salaries and other like matters. Every item of expenditure fairly chargeable against the year's income shall be brought into account, so that a just balance of profit and loss may be laid before the meeting, and, in cases where any item of expenditure which may in fairness be distributed over several years has been incurred in one year, the whole amount of such item shall be stated, with the addition of the reasons why only a portion of such expenditure is charged against the income of the year.

109. A balance-sheet shall be made out in every year and laid before the company in general meeting made up to a date not more than six months before such meeting. The balance-sheet shall be accompanied by a report of the directors as to the state of the company's affairs, and the amount which they recommend to be paid by way of dividend, and the amount (if any) which they propose to carry to a reserve fund.

110. A copy of the balance sheet, and report shall, fourteen days previously to the meeting, be sent to the persons entitled to receive notices of general meetings in the manner in which notices are to be given hereunder.

111. The directors shall in all respects comply with the provisions of Sections 164 to 171 of the Travancore Companies Regulation or any statutory modification thereof for the time being in force.

Audit.

112. Auditors shall be appointed and their duties regulated in accordance with Sections 182 and 183 of the Travancore Companies Regulation or any statutory modification thereof for the time being in force.

Notices.

113. (1) A notice may be given by the company to any member either personally or by sending it by post or Anchal to him to his registered address or (if he has no registered address in Travancore) to the address, if any, within Travancore supplied by him to the company for the giving of notices to him.

(2) Where a notice is sent by post or Anchal, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and, unless the contrary is proved to have been effected at the time at which the letter would be delivered in the ordinary course of post.

114. If a member has no registered address in Travancore and has not supplied to the company an address within Travancore for the giving of notices to him, a notice addressed to him and advertised in a newspaper circulating in the neighbourhood of the registered office of the company shall be deemed to be duly given to him on the day on which the advertisement appears.

115. A notice may be given by the company to the joint-holders of a share by giving the notice to the joint-holder named first in the register in respect of the share.

116. A notice may be given by the company to the persons entitled to a share in consequence of the death or insolvency of a member by sending it through the post or Anchal in a prepaid letter addressed to them by name, or by the title of representatives of the deceased, or assignee of the insolvent or by any like description, at the address (if any) in Travancore supplied for the purpose by the persons claiming to be so entitled, or (until such an address has been so supplied) by giving the notice in any manner in which the same might have been given if the death or insolvency had not occurred.

117. Notice of every general meeting shall be given in some manner hereinbefore authorised to (*a*) every member of the company (including bearers of share warrants) except those members who (having no registered address within Travancore) have not supplied to the company an address within Travancore for the giving of notices to them, and also to (*b*) every person entitled to a share in consequence of the death or insolvency of a member, who but for his death or insolvency would be entitled to receive notice of the meeting.

TABLE B.

(*See Sections 307 and 320.*)

TABLE OF FEES TO BE PAID TO THE REGISTRAR.

		B. Rs.	ch.	c
	I. - *By a company having a share capital.*			
1.	For registration of a company whose nominal share capital does not exceed British Rs. 20,000, a fee of ...	40	0	0

	B. Rs.	ch.	c
2. For registration of a company whose nominal share capital exceeds British Rs. 20,000, the above fee of forty British rupees, with the following additional fees regulated according to the amount of nominal capital (that is to say)—			
For every 10,000 British rupees of nominal share capital, or part of 10,000 British rupees, after the first 20,000 British rupees up to 50,000 British rupees ...	20	0	0
For every 10,000 British rupees of nominal share capital, or part of 10,000 British rupees after the first 50,000 to 10,00,000 British rupees ..	5	0	0
For every 10,000 British rupees of nominal share capital or part of 10,000 British rupees, after the first 10,00,000 British rupees ...	1	0	0
3. For registration of any increase of share capital made after the first registration of the company, the same fees per 10,000 British rupees or part of 10,000 British rupees, as would have been payable if such increased share capital had formed part of the original share capital at the time of registration:			
Provided that no company shall be liable to pay in respect of nominal share capital on registration, or afterwards, any greater amount of fees than 1,000 British rupees taking into account, in the case of fees payable on an increase of share capital after registration, the fees paid on registration.			
4. For registration of any existing company, except such companies as are by this Regulation exempted from payment of fees in respect of registration under this Regulation, the same fee as is charged for registering a new company.			
5. For filing any document by this Regulation required or authorised to be filed, other than the memorandum or the abstract required to be filed with the Registrar by a receiver or the statement required to be filed with the Registrar by the liquidator in a winding up ...	5	0	0
6. For making a record of any fact by this Regulation authorised or required to be recorded by the Registrar a fee of ...	5	0	0

II.—By a Company not having a share capital.

	B. Rs.	ch.	c
1. For registration of a company whose number of members, as stated in the articles of association, does not exceed 20 ...	40	0	0
2. For registration of a company whose number of members, as stated in the articles of association, exceeds 20, but does not exceed 100 ...	100	0	0
3. For registration of a company whose number of members, as stated in the articles of association, exceeds 100, but is not stated to be unlimited, the above fee of Br. Rs. 100 with an additional Br. Rs. 5 for every 50 members, or less number than 50 members after the first 100.			
4. For registration of a company in which the number of members is stated in the articles of association to be unlimited, a fee of ...	400	0	0
5. For registration of any increase on the number of members made after the registration of the company the same fees, as would have been payable [in respect of such increase] if such increase had been stated in the articles of association at the time of registration: ...			
Provided that no one company shall be liable to pay on the whole a greater fee than Br. Rs. 400 in respect of its number of members, taking into account the fee paid on the first registration of the company.			
6. For registration of any existing company except such companies as are by this Regulation exempted from payment of fees in respect of registration under this Regulation the same fee as is charged for registering a new company.			
7. For filing any document by this Regulation required or authorised to be filed, other than the memorandum or the abstract required to be filed with the Registrar by the liquidator in a winding up..	5	0	0
8. For making a record of any fact by this Regulation authorised or required to be recorded by the Registrar, a fee of	5	0	0

THE SECOND SCHEDULE.

(*See* Sections 127 and 195.)

THE TRAVANCORE COMPANIES REGULATION.

FORM I.

STATEMENT IN LIEU OF PROSPECTUS

filed by

....LIMITED

pursuant to Section 127 of the Travancore Companies Regulation—
Presented for filing by

The nominal share capital of the company.	Rs...............
Divided into................................	Shares of Rs......... each. Shares of Rs......... each. Shares of Rs......... each.
Amount (if any) of above capital which consists of redeemable reference shares.	Shares of Rs......... each.
The date on or before which these shares are, or are liable, to be redeemed.	
Names, descriptions and addresses of directors or proposed directors and managers or proposed managers, and any provision in the articles, or in any contract, as to the appointment of and remuneration payable to directors or managers.	
If the share capital of the company is divided into different classes of shares, the right of voting at meetings of the company conferred by, and the rights in respect of capital and dividends attached to, the several classes of shares respectively.	

Number and amount of shares and debentures agreed to be issued as fully or partly paid up otherwise than in cash.	1.—shares of Rs......... fully paid. 2. shares upon which Rs..........per share credited as paid. 3. Debenture Rs......... 4. Consideration.
Names and addresses of vendors of property purchased or acquired, or proposed to be purchased or acquired by the company. Amount (in cash, shares or debentures) payable to each separate vendor.	
Amount (if any) paid or payable (in cash or shares or debentures) for any such property, specifying amount (if any) paid or payable for goodwill.	Total purchase price ... Rs...... Cash ... Rs...... Shares ... Rs...... Debentures ... Rs...... Goodwill ... Rs......
Amount (if any) paid or payable as commission for subscribing or agreeing to subscribe or procuring or agreeing to procure subscriptions for any shares or debentures in the company; or Rate of the commission..............................	Amount paid. Amount payable. Rate per cent.
The number of shares, if any, which persons have agreed for a commission to subscribe absolutely.	
Estimated amount of preliminary expenses.	Rs.
Amount paid or intended to be paid to any promoter. Consideration for the payment.	Name of the promoter Amount Rs......... Consideration :—
Dates of, and parties to every material contract (except contracts entered into in the ordinary course of the business intended to be	

carried on by the company or contracts, other than contracts appointing or fixing the remuneration of a managing director or managing agent, entered into more than two years before the delivery of this statement.)	
Time and place at which the contracts or copies thereof may be inspected.	
Names and addresses of the auditors of the company (if any).	
Full particulars of the nature and extent of the interest of every director in the promotion of or in the property proposed to be acquired by the company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise, by any person either to induce him to become, or to qualify him as, a director, or otherwise for services rendered by him or by the firm in connection with the promotion or formation of the company.	
If it is proposed to acquire any business, the amount, as certified by the persons by whom the accounts of the business have been audited, of the net profits of the business in respect of each of the three financial years immediately preceding the date of this statement provided that in the case of a business which has been carried on for less than three years and the accounts of which have only been made up in respect of two years or one year the above requirement shall have effect as if references to two years or one year, as the case may be, were substituted for references to three years, and in any such case the statement shall say how long the business to be acquired has been carried on.	

(Signatures of the persons above-named as ....
directors or proposed directors, or of their..............................
agents authorised in writing).

FORM I

THE TRAVANCORE COMPANIES REGULATION.

STATEMENT IN LIEU OF PROSPECTUS,

filed by

....LIMITED.

pursuant to sub-section (1) of Section 195 of the Travancore Companies Regulation—

Presented for filing by

The nominal share capital of the company.	Rs.
Divided into.........	Shares of Rs....each. Shares of Rs....each Shares of Rs....each.
Amount (if any) of above capital which consists of redeemable preference shares.	Shares of Rs....each.
The date on or before which these shares are, or are liable, to be redeemed.	
Names, descriptions and addresses of directors or proposed directors and managers or proposed managers, and any provision in the articles, or in any contract, as to appointment of and remuneration payable to directors or managers.	
If the share capital of the company is divided into different classes of shares, the right of voting at meetings of the company conferred by and the rights in respect of capital and dividends attached to, the several classes of shares respectively.	

Number and amount of shares and debentures issued within the two years preceding the date of this statement as fully or partly paid up otherwise than for cash or agreed to be so issued at the date of this statement.	1. Shares of Rs...... fully paid. 2. Shares upon which Rs.............per share credited as paid. 3. Debenture Rs...... 4. Consideration.
Names and addresses of vendors of property: (1) purchased or acquired by the company within the two years preceding the date of this statement or (2) agreed or proposed to be purchased or acquired by the company.	
Amount (in cash, shares or debentures) payable to each separate vendor.	
Amount (if any) paid or payable (in cash or shares or debentures) for any such property specifying amount (if any) paid or payable for good will.	Total purchase price ...Rs...... Cash , Rs...... Shares ...Rs...... Debenture Rs...... Goodwill...Rs.....
Amount (if any) paid or payable as commission for subscribing or agreeing to subscribe or procuring or agreeing to procure subscriptions for any shares or debentures in the Company; or rate of the commission.	Amount paid Amount payable Rate per cent.
The number of shares, if any, which persons have agreed for a commission to subscribe absolutely.	
Unless more than two years have elapsed since the date on which the company was entitled to commence business: Estimated amount of preliminary expenses. Amount paid or intended to be paid to any promoter. Consideration for the payment.	 Rs............ Name of promoter Amount Rs............ Consideration

Dates of, and parties to every material contract (except contracts entered into in the ordinary course) of the business intended to be carried on by the company or contracts, other than contracts appointing or fixing the remuneration of a managing director or managing agent, entered into more than two years before the delivery of this statement.	
Times and places at which the contracts or copies thereof may be inspected.	
Names and addresses of the auditors of the company.	
Full particulars of the nature and extent of the interest of every director in the promotion of or in the property purchased or acquired by the company within the two years preceding the date of this statement or proposed to be acquired by the company or where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares, or otherwise, by any person either to induce him to become, or to qualify him as, a director, or otherwise for services rendered by him or by the firm in connection with the promotion or the formation of the company.	
If it is proposed to acquire any business, the amount, as certified by the persons by whom the accounts of the business have been audited, of the net profits of the business in respect of each of the three financial years immediately preceding the date of this statement provided that in the case of a business which has been carried on for less than three years and	

the accounts of which have only been made up in respect of two years or one year the above requirement shall have effect as if references to two years or one year, as the case may be, were substituted for references to three years, and in any such case the statement shall say how long the business to be acquired has been carried on.	
(Signatures of the persons above named as directors or proposed directors or of their agents authorised in writing).	

Dated the day of

THE THIRD SCHEDULE.

FORM A.

(See Sections 6 and 190.)

MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY SHARES.

1st.—The name of the company is "The Travancore Road Transport Company, Limited."

2nd.—The registered office of the company will be situate in the taluk of Kottayam.

3rd.—The objects for which the company is established are "the conveyance of passengers and goods in motor buses or lorries between such places as the company may from time to time determine, and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—The share capital of the company is two hundred thousand rupees divided into one thousand shares of two hundred rupees each.

We, the several persons whose names and addresses are subscribed are desirous of being formed into a company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, addresses and descriptions of subscribers.					Number of shares taken by each subscriber.
1. A.	B.	of,	merchant	... ...	200
2. C.	D.	of	„	... ...	25
3. E.	F.	of	„	... ...	30
4. G.	H.	of	„	... ...	40
5. I.	J.	of	„	... ...	15
6. K.	L.	of	„	... ...	5
7. M.	N.	of	„	... ...	10
			TOTAL SHARES TAKEN	...	325

Dated the day of 19

Witness to the above signatures

X. Y., of

FORM B.

(See Sections 7 and 190.)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE, AND NOT HAVING A SHARE CAPITAL.

Memorandum of Association .

1st—The name of the company is "The Mutual Quilon Marine Association Limited".

2nd—The registered office of the company will be situate in the taluk of Quilon.

3rd—The objects for which the company is established are "the mutual insurance of ships belonging to members of the Company, and the doing all such other things as are incidental or conducive to the attainment of the above object".

4th—The liability of the members is limited.

5th—Every member of the company undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company, contracted before he ceases to be a member, and the costs charges and expenses of winding up and for the adjustment of the rights of the contributories among themselves, such amount as may be required, not exceeding one hundred rupees.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a company, in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of
"2. C. D. of
"3. E. F. of
"4. G. H. of
"5. I. J. of
"6. K. L. of
"7. M. N. of

Dated the *day of* 19

Witness to the above signatures

X. Y., of

ARTICLES OF ASSOCIATION TO ACCOMPANY PRECEDING MEMORANDUM OF ASSOCIATION.

Number of Members.

1. The company for the purpose of registration is declared to consist of five hundred members.

2. The directors hereinafter mentioned may, whenever the business of the association requires it, register an increase of members.

Definition of Members.

3. Every person shall be deemed to have agreed to become a member of the company who insures any ship or share in a ship in pursuance of the regulation hereinafter contained.

General Meeting.

4. The first general meeting shall be held at such time not being less than one month nor more than three months after the incorporation of the company, and at such place, as the directors may determine.

5. A general meeting shall be held once in every year at such time (not being more than fifteen months after the holding of the last preceding general meeting) and place as may be prescribed by the company in general meeting, or in default at such time in the month following that in which the anniversary of the company's incorporation occurs and at such place, as the directors shall appoint. In default of a general meeting being so held, a general meeting shall be held in the month next following, and may be called by any two members in the same manner as nearly as possible as that in which the meetings are to be called by the directors.

6. The above mentioned general meetings shall be called ordinary meetings: all other general meetings shall be called extraordinary

7. The directors may, whenever they think fit, and shall, on a requisition made in writing by any five or more members, call an extraordinary general meeting.

8. Any requisition made by the members must state the object of the meeting proposed to be called, and must be signed by the requisitionist and deposited at the registered office of the company.

9. On receipt of the requisition the directors shall forthwith proceed to call a general meeting; if they do not proceed to cause a meeting to be held within twenty-one days from the date of the requisition being so deposited, the requisitionists or any other five members may themselves call a meeting.

Proceedings at General Meetings.

10. Fourteen days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business the general nature of the business, shall be given to the members in manner hereinafter mentioned, or in such other manner (if any) as may be prescribed by the company in general meeting; but the accidental omission to give notice of a meeting or the non-receipt of such a notice by any member shall not invalidate the proceedings at any general meeting.

11. All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of the consideration of the accounts, balance-sheets and the ordinary report of the directors and auditors, the election of directors and other officers in the place of those retiring by rotation, and the fixing of remuneration of the auditors.

12. No business shall be transacted at any meeting except the declaration of a dividend, unless a quorum of members is present at the commencement of the business. The quorum shall be ascertained as follows (that is to say):— if the members of the company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members with this limitation, that no quorum shall in any case exceed ten.

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13. If within one hour from the time appointed for the meeting a quorum of members is not present, the meeting, if called on the requisition of the members, shall be dissolved; in any other case it shall stand adjourned to the same day in the following week at the same time and place; and if at such adjourned meeting a quorum of members is not present, it shall be adjourned *sine die*.

14. The chairman (if any) of the directors shall preside as chairman at every general meeting of the company.

15. If there is no such chairman, or if at any meeting he is not present at the time of holding the same, the members present shall choose some one of their number to be chairman of that meeting.

16. The chairman may, with the consent of the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

17. At any general meeting, unless a poll is demanded by at least three members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the company, shall be conclusive evidence of the fact without proof of the number of proportion or the votes recorded in favour of or against the resolution.

18. If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the chairman directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

Votes of Members.

19. Every member shall have one vote and no more.

20. If any member is a lunatic or idiot, he may vote by his committee or other legal guardian.

21. No member shall be entitled to vote at any meeting unless all moneys due from him to the company have been paid.

22. On a poll votes may be given either personally or by proxy: Provided that no company shall vote by proxy as long as a resolution of its directors in accordance with the provisions of Section 85 of the Travancore Companies Regul ation III—is in force. A proxy shall be appointed in writing under the hand of the appointor, or, if such appointor is a corporation, under its common seal.

23. (1) No person shall act as a proxy unless he is a member or unless he is appointed to act at the meeting as proxy for a corporation.

(2) The instrument appointing him shall be deposited at the registered office of the company not less than forty-eight hours before the time of holding the meeting at which he proposes to vote.

24. Any instrument appointing a proxy shall be in the following form:—

Company, Limited

I , of , being a Member of the Company, Limited, hereby appoint of as my proxy, to vote for me and on my behalf at the (ordinary or extraordinary, as the case may be) general meeting of the company to be held on the day of and at any adjournment thereof.

Signed this day of

Directors.

25. The number of the directors and the names of the first directors shall be determined by the subscribers of the memorandum of association.

26. Until directors are appointed, the subscribers of the memorandum of association shall, for all the purposes of the Travancore Companies Regulation be deemed to be directors.

Powers of Directors.

27. The business of the company shall be managed by the directors who may exercise all such powers of the company as are not by the Travancore Companies Regulation III - or by any statutory modification thereof for the time being in force, or by these articles, required to be exercised by the company in general meeting: but no regulation made by the company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulation had not been made.

Elections of Directors.

28. The directors shall be elected annually by the company in general meeting.

Business of Company.

(Here insert *rules as to mode in which business of insurance is to be conducted*).

Audit.

29. Auditors shall be appointed and their duties regulated in accordance with Sections 182 and 183 of the Travancore Companies Regulation III—or any statutory modification thereof for the time being in force, and for this purpose the said sections shall have effect as if the word ' members" were substituted for " shareholders," and as if "first general meeting" were substituted for "statutory meeting".

Notices.

30. A notice may be given by the company to any member either personally or by sending it by post or anchal to him to his registered address

31. Where a notice is sent by post or anchal service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of
"2. C. D. of
"3. E. F. of
"4. G. H. of
"5. I. J. of
"6. K. L. of
"7. M. N. of

Dated the day of 11

Witness to the above signatures
X. Y.. of

FORM C.

(*See Sections 7 and 190.*)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE, AND HAVING A SHARE CAPITAL.

Memorandum of Association.

1st - The name of the company is "The Travancore Hill Produce Company, Limited".

2nd—The registered office of the company will be situate in the taluk of Kottayam.

3rd—The objects for which the company is established are "the production, collection and trade in the hill produces and the doing all such other things as are incidental or conducive to the attainment of the above object.'

4th—The liability of the members is limited.

5th—Every member of the company undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company, contracted before he ceases to be a member, and the costs charges and expenses of winding up the same and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required, not exceeding fifty rupees.

6th—The share capital of the company shall consist of five hundred thousand rupees, divided into five thousand shares of one hundred rupees each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a company, in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by each subscriber.
"1 A. B. of	200
"2 C. D. of	25
"3 E. F. of	30
"4 G. H. of	40
"5 I. J. of	15
"6 K. L. of	5
"7 M. N. of	10
TOTAL SHARES TAKEN ...	325

Dated the day of

Witness to the above signatures.

X. Y., of

Articles of Association to accompany preceding Memorandum of Association.

1. The share capital of the company is five hundred thousand rupees, divided into five thousand shares of one hundred rupees each.

2. The directors may with the sanction of the company in general meeting, reduce the amount of shares in the company.

3. The directors may with the sanction of the company in general meeting, cancel any shares belonging to the company.

4. All the articles of Table A of the Travancore Companies Regulation III 4—shall be deemed to be incorporated with these articles and to apply to the company.

Names, Addresses and descriptions of Subscribers.

"1 A. B. of
"2 C. D. of
"3 E. F. of
"4 G. H. of
"5 I. J. of
"6 K. L. of
"7 M. N. of

Dated the *day of* 19

Witness to the above signatures.

X. Y., of

FORM D.

(See Sections 8 and 190.)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF AN UNLIMITED COMPANY HAVING A SHARE CAPITAL.

Memorandum of Association.

1st.—The name of the company is "The Patent Stereotype Company,"

2nd.—The registered office of the company will be situate in the taluk of Trivandrum.

3rd.— The objects for which the company is established are "the working of a patent method of founding and casting stereotype plates of which method P. Q., of Nagercoil is the sole patentee."

We, the several persons whose names are subscribed, are desirous of being formed into a company in pursuance of this memorandum of

association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by each subscriber.
"1 A. B.	3
"2 C. D.	2
"3 E. F.	1
"4 G. H.	2
"5 I. J.	2
"6 K. L.	1
"7 M. N.	1
TOTAL SHARES TAKEN ...	12

Dated the *day of* 11

Witness to the above signatures.
X. Y., of

Articles of Association to accompany the preceding Memorandum of Association.

1. The share capital of the company is twenty thousand rupees, divided into twenty shares of one thousand rupees each.

2. All the articles of Table A of the Travancore Companies Regulation shall be deemed to be incorporated with these articles and to apply to the company.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. , merchant
"2. C. D.
"3. E. F.
"4. G. H.
"5. I. J.
"6. K. L.
"7. M. N.

Dated the *day of* 11

Witness to the above signatures.
X. Y., of

FORM E.

AS REQUIRED BY PART II OF THE REGULATION.

(*See Section 35.*)

Summary of Share Capital and Shares of the Company Limited, made up to the day of 11 (being the day of the first ordinary general meeting in 11)

Nominal share capital Rs. divided into
shares of Rs. each.
shares of Rs. each.

The total number of shares taken up* to the day of 11 which number must agree with the total shown in the list as held by existing members ... Rs.

Number of shares issued subject to payment wholly in cash ... Rs.

Number of shares issued as fully paid up otherwise than in cash ... Rs.

Number of shares issued as partly paid up to the extent of per share otherwise than in cash ... Rs.

†There has been called up on each—of shares... Rs.

There has been called up on each— of shares ... Rs.

There has been called up on each— of shares ... Rs.

‡Total amount of calls received, including payments on application and allotment ... Rs.

Total amount (if any) agreed to be considered as paid on shares which have been issued as fully paid up otherwise than in cash ... Rs.

Total amount (if any) agreed to be considered as paid on shares which have been issued as partly paid up to the extent of per share ... Rs.

Total amount of calls unpaid ... Rs.

Total amount (if any) of sums paid by way of commission in respect of shares or debentures or allowed by way of discount since date of last summary .. Rs.

Total amount (if any) paid on § shares forfeited. Rs.

Total amount of shares and stock for which share-warrants are outstanding ... Rs.

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* When there are shares of different kinds or amount (*e. g.*, Preferences and ordinary or Rs. 200 or Rs. 100) state the numbers and nominal values separately.

† Where various amounts have been called or there are shares of different kinds state them separately.

‡ Include what has been received on forfeited as well as on existing shares.

§ State the aggregate number of shares forfeited

Total amount of share-warrants issued and surrendered respectively since date of last summary ... Rs.

Number of share or amount of stock comprised in each share warrant ... Rs.

Total amount of debt due from the company in respect of all mortgages and charges which are required to be registered with the Registrar under this Regulation ... Rs.

List of persons holding shares in the Company, Limited on the day of 19 , and of persons who have held shares therein at any time since the date of the last return, showing their names and addresses and on account of the shares so held.

Folio register ledger containing particulars.	Names, Addresses and Occupations.			Account of shares.					Remarks.
					§ Particulars of shares transferred since the date of the last return by persons who are still members.		§ Particulars of shares transferred since the date of the last return by persons who have ceased to be members.		
	Name in full.	Address.	Occupation.	*Number of shares held by existing Members at date of return.	Number †	Date of Registration of Transfer.	Number ‡	Date of Registration of Transfer.	

* State the aggregate number of shares forfeited (if any).

† The aggregate number of shares held, and not the distinctive numbers, must be stated and the column must be added up throughout so as to make one total to agree with that stated in the summary to have been taken up.

‡ When the shares are of different classes, these columns may be sub-divided so that the number of each class held or transferred may be shown separately.

§ The date of registration of each transfer should be given as well as the number of shares transferred on each date. The particulars should be placed opposite the name of the transferor and not opposite that of the transferee, but the name of the transferee may be inserted in the remarks column immediately opposite the particulars of each transfer.

Names and addresses of the persons who are the directors of , Limited, on the day of 11 .

Names.	Addresses.

Names and addresses of the persons who are the managers of the , Limited on the day of 11 .

Names.	Addresses.

NOTE.—Banking Companies must add a list of all their places of business.

I, , do hereby certify that the above list and summary truly and correctly states the facts as they stood on day of 11 .

(Signature)..................

(State whether director, manager or secretary.)

FORM F.

(*See Section*).

....LIMITED.

Balance Sheet as at......................19 .

CAPITAL AND LIABILITIES.		PROPERTY AND ASSETS.	
Capital—		Fixed Capital Expenditure—	
Authorised Capital...... shares of Rs........ each.		(Distinguishing as far as possible between expenditure upon goodwill, land, buildings, lease holds, railway sidings, plant, machinery, furniture, development of property, patents, trade marks and designs, interest paid out of capital during construction, etc., and stating in every case the original cost and the additions thereto and deductions therefrom during the year, and the total depreciation written off under each head. Where sums have been written off on a reduction of capital or a revaluation of assets every balance-sheet after the first balance-sheet subsequent to the reduction or re-valuation shall show the reduced figures, with the date of and the amount of the reduction made.)	
(Distinguishing between the various classes of Capital.)			
Issued Capital...... shares of Rs........ each.			
(i) Shares issued as fully paid up pursuant to any contract without payments being received in cash......shares of Rs........each			
(ii) Shares issued for payment in cash...... shares of Rs........ each			
Subscribed Capital...... shares of Rs........ each			
Amount called up at at Rs........per share......			
Less—Calls unpaid—			
(i) due from Managing Agents			
(ii) due from others			
Add—Forfeited shares (amount paid up)		Preliminary expenses ..	
		Commission or brokerage.	
NOTE.—Where circumstances permit issued and subscribed capital and amount called up may be shown as one item *e. g.*, Issued and Subscribed Capital......shares Rs......paid up		(Commission or brokerage paid for underwriting or placing or subscribing shares or debentures until written off.)	
		Discount allowed on the issue of shares or so much as has not been written off at the date of the balance-sheet.	

CAPITAL AND LIABILITIES.			PROPERTY AND ASSETS.		
Reserves— ..		..	Stores and spare parts ..		..
Debentures stating the nature of security ..		..	Loose Tools ..		..
Any Sinking Fund ..		..	Live-stock and vehicles ..		..
Any other Fund created out of net profits including any development Fund ..		..	Stock in trade .. (Stating mode of valuation, *e. g.*, cost or market value)		..
Any pension or insurance Fund ..		..	Bills of exchange ..		..
Provision for bad and doubtful debts ..		..	Book debts ... (Distinguishing between those considered good and in respect of which the company is fully secured and those considered good for which the company holds no security other than the debtor's personal security, and distinguishing between debts considered good and debts considered doubtful or bad.		..
Loans.—			Debts due by directors or other officers of the company or any of them either severally or jointly with any other persons to be separately stated.		
(*a*) Secured—					
(i) loans and mortgages or fixed assets ..	..				
(ii) loans on debentures ..	..				
(iii) loans from banks, stating the nature of security ..	..				
(iv) liabilities to subsidiary companies ..	..				
(v) other secured loans stating the nature of security ..	..				
(vi) interest accrued on mortgages, debentures or other secured loans ...	..				
(*b*) Unsecured—					
(i) loans from banks ..	..				
(ii) fixed deposits ..	..				
(iii) short term loans ..	..		Advances ..		..
(iv) advances by directors or managers and managing agents ..	..		(Recoverable in cash or in kind or for value to be received *e. g.*, Rates, Taxes, Insurance, etc., showing separately—		
(v) interest accruing but not due and interest accrued and due ..	..		(i) loans given to subsidiary companies ..	..	
(vi) liabilities to subsidiary companies ..	..		(ii) loans including temporary advances made at any time during the year to directors or managers, of the company.) ..	..	
Unclaimed dividends ..		..			
Liabilities—		..			
For goods supplied ..	..				
For expenses ..	..				
For acceptances ..	..		Investments ..		..
For other finance ..	..	..	(Showing nature of investments and mode of valuation, *e. g.*, Cost or market value and distinguishing)—		
Advance payments and unexpired discounts.		..			

CAPITAL AND LIABILITIES.							PROPERTY AND ASSETS.						
(For the portion for which value has still to be given, *e. g.*, in the case of the following classes of companies— Newspaper, Theatre, Club, Banking, Steamship Companies etc.) ..				..	..	..	(i) investments in Government or trust securities ..	...	..	..			
							(ii) investments in shares, debentures or bonds (showing separately shares fully paid up and partly paid up) ..	..	..	..			
Profit and loss ...				..	..	..	(iii) investments in shares, debentures or bonds of subsidiary companies ..	..	..	.			
Contingent liabilities—							(iv) immovable properties ..	..	..	.			
Claims against the company not acknowledged as debts ..	..	..	..				Interest accrued on investments .				..	..	..
Money for which the company is contingently liable ..	..	..	..				Cash and other balances.				.	..	..
(Showing separately the amount of any guarantee given by the company on behalf of directors or officers of the company).							Amount in hand ..	..	..	..			
							Balances with Agents and Bankers (in detail showing whether on deposit or current account (etc.) ..	..	...	..			
							Profit and Loss ..	..	..	..			
Arrears of Cumulative Preference Dividends.	...	..	..										

The information required to be given under any of the items or sub-items in this Form if not included in the Balance-Sheet itself shall be furnished in a separate Schedule or Schedules to be attached to and to form part of the Balance-Sheet.

FORM G.

(See Section 172.)

FORM OF STATEMENT TO BE PUBLISHED BY BANKING AND INSURANCE COMPANIES AND DEPOSIT, PROVIDENT OR BENEFIT SOCIETIES.

*The share capital of the company is Rs.   divided into shares of Rs.   each.

The number of shares issue is   Calls to the amount of Rs.   per share have been made, under which the sum of Rs.   has been received.

The liabilities of the company on the last day of Karkadakam (or the last day of Makaram) were :

Debts owing to sundry persons by the company :

Under decree, Rs.

On mortgages or bonds, Rs.

On notes, bills or hundis, Rs.

On other contracts, Rs.

On estimated liabilities, Rs.

The assets of the company on that day were

Government securities [stating them], Rs.

Bill of exchange, hundis and promissory notes, Rs.

Cash at the Bankers, Rs.

Other Securities, Rs.

FORM H.

(See Section 335.)

INFORMATION TO BE SUPPLIED IN OR IN ADDITION TO THE INFORMATION CONTAINED IN THE BALANCE-SHEET OF A COMPANY REFERRED TO IN PART X.

Liabilities.

1. Summary of authorised Share Capital and Issued Share Capital.

2. Redeemable Preference Shares, stating date on or before which the shares are or are liable to be redeemed.

3. Debentures stating the nature of the Security.

4. Redeemed debentures which the Company has power to re-issue.

5. Loans :

(a) secured, stating the nature of the Security ;

(b) unsecured.

6. Loans from Banks :

(a) secured, stating nature of security.

(b) unsecured.

7. Profit and loss Account, showing (unless disclosed in a separate account) :

Balance as per previous Balance-sheet,

Appropriation thereof.

Profit since last Balance-Sheet,

---

* If the company has no capital divided into shares, the portion of the statement relating to capital and share must be omitted.

8. Contingent Liabilities.

9. Arrears of Cumulative Preference Dividend.

Assets.

1. Fixed Assets, with sufficient particulars to disclose their general nature, and stating how their values are arrived at.

2. Preliminary expenses, so far as not written off.

3. Any expenses incurred in connection with any issue of Share Capital or Debentures, so far as not written off.

4. If it is shown as a separate item in or is otherwise ascertainable from the books of the Company, or from any contract for the sale or purchase of any property to be acquired by the Company, or from any documents in the possession of the Company relating to the stamp duty payable in respect of any such contract or the conveyance of any such property the amount of the goodwill and of any patents and trade marks as so shown or ascertained,

5. Interest paid on Capital, so far as not written off showing the Share Capital on which and the rate at which interest has been paid out of capital during the period to which the accounts relate.

6. Discount allowed on Shares issued, so far as not written off.

7. Commission paid or allowed in respect of any shares or debentures, so far as not written off.

8. Loans outstanding to enable employees or trustees on their behalf to purchase shares in the Company.

9. Particulars showing:

(*a*) the amount of any loans which during the period to which the accounts relate have been made either by the Company or by any other person under a guarantee from or on a security provided by the company to any director or officer of the Company, including any such loans which were repaid during the said period; and

(*b*) the amount of any loans made in manner aforesaid to any director or officer at any time before the period aforesaid and outstanding at the expiration thereof; and

(*c*) the total of the amount paid to the directors as remuneration for their services, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the Company or by or from any subsidiary Company.

Note (1).—There shall not be required to be shown;

(*a*) in the case of a Company the ordinary business of which includes the lending of money, loans made by the Company in the ordinary course of its business; or

(*b*) loans made by the company to any employee of the company if the loan does not exceed twenty thousand rupees and is certified by the directors of the Company to have been made in accordance with any practice adopted or about to be adopted by the Company with respect to loans to its employees.

Note (2)—The foregoing shall not apply in relation to a Managing Director of the Company, and in the case of any other director who holds any salaried employment or office in the Company there shall not be required to be included in the said total amount any sums paid to him except sums paid by way of directors' fees.

(Where a company is a holding company then the Balance sheet shall disclose the particulars required by Section 168 A.)

THE FOURTH SCHEDULE.

(*See Section 362.*)

ENACTMENTS REPEALED.

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1092	I	The Travancore Companies Regulation 1092 as subsequently amended.	The whole.

Office of the Secretary to the
Sri Chitra State Council,
Trivandrum, 19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

Appendix VI.

THE TRAVANCORE PUBLIC ACCOUNTANTS REGULATION (AMENDMENT) BILL.

(As passed by the Sri Chitra State Council.)

A REGULATION TO AMEND THE PUBLIC ACCOUNTANTS REGULATION (REGULATION III OF 1080) FOR CERTAIN PURPOSES.

Preamble.

Whereas it is expedient to amend the Public Accountants Regulation (Regulation III of 1080) for certain purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and Commencement.

1. (i) This Regulation may be called the Travancore Public Accountants (Amendment) Regulation, 111 .

(ii) It shall come into force at once.

Insertion of a new Section 5 A.

2. After Section 5 of the Public Accountants Regulation (Regulation III of 1080), the following new Section shall be inserted, namely :—

"5A. On the death of a person who is, or has been, a public accountant, proceedings may be taken, or continued, under this Regulation against his legal representative as if such legal representative were the public accountant :

Provided that such legal representative shall be liable only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of."

Trivandrum,
19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

Appendix VII.

THE TRAVANCORE ABKARI REGULATION (AMENDMENT BILL.)

(As passed by the Sri Chitra State Council.)

A REGULATION TO AMEND THE ABKARI REGULATION (REGULATION IV OF 1073) FOR CERTAIN PURPOSES.

Preamble.

Whereas it is expedient to amend the Abkari Regulation (Regulation IV of 1073) as amended by Regulations IV of 1074 and I of 1104, for certain purposes hereinafter appearing; It is hereby enacted as follows :

Short title and commencement.

1. (i) This Regulation may be called the Travancore Abkari (Amendment) Regulation, III

(ii) It shall come into force at once.

Amendment of Section 28, Regulation IV of 1073.

2. In Section 28 of the Abkari Regulation (Regulation IV of 1073) as amended by Regulations IV of 1074 and I of 1104, for the words and figures "whose monthly salary is not less than Rs. 20".

the following words shall be substituted, namely:—

"not below the rank of a Petty Officer."

Office of the Secretary to the
Sri Chitra State Council,
Trivandrum, 19th August 1938.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE, HELD ON THURSDAY THE 7TH JULY 1938/23RD MITHUNAM 1113.

The second meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices, at 8 A. M., on Thursday, the 7th July 1938/23rd Mithunam 1113.

The following members were present :—

C. O. Madhavan Esq., B. A., B. L.,
Ag. Chief Secretary to Government—President.

Kochikal P. Balakrishnan Tampi Esq., B. A., B. L.,
Member, Sri Chitra State Council

A. Thanu Pillai Esq., B. A., B. L.,
Member, Sri Mulam Assembly.

K. Kesavan Esq., B. A., B. L.,
Member, Sri Mulam Assembly,

M. Ramachandra Rao Esq., B. A.,
Ag. Commissioner of Police,

M. Govinda Pillai Esq., B. A.,
Ag. Secretary to Government.

Messrs. Thanu Pillai and Balakrishnan Tampi complained about the delay in their receipt of the Finance Committee notes and other papers and also about the non-receipt before the meeting of the Draft Budget which they claimed they were entitiled to know for the purpose of making up their minds one way or the other as to the new proposals. The President of the Committee said that, for the day, the Committee need deal only with the first batch of notes which according to the rules were sent to them in time.

REGISTRATION DEPARTMENT.

Mr. K. Madhava Kurup M. A., Director of Registration was present

1. *Temporary Staff of the Registrar of Joint Stock Companies*—The Committe passed the proposed provision of Rs. 3,193 for the confirmation of the temporary staff of

2 Inspectors, 1 on Rs. 100-125 and the other on Rs. 75-100
2 clerks, 1 on Rs. 25-40, and the other on Rs. 20-25, and
1 peon on Rs. 9-11, in the office of the Registrar of Joint Stock Companies, and for the T. A. of the Inspectors.

2. Temporary Sub-registry Offices. The provision of Rs. 6,159 as per the following details, for the confirmation of the 3 temperary Sub-Registry offices at Balaramapuram, Varkala and Kothamangalam and for the continuance during 1114, of the additional staff of 2 clerks and 2 peons for the Devicolam and Peermade Sub-Registry Offices, was also approved by the Committee :—

3 Sub-Registrars on Rs. 50-5-75

3 Head clerks on Rs. 25-3-40

8 clerks on 20-1-25

6 peons on Rs 9-1/6-11 to be confirmed,

2 temporary clerks on Rs. 20-1-25, and

2 temporary peons on Rs. 9-1/6-11.

3. *Rs. 984 for local allowance of Re. 1 each per mensem to peons who go to treasuries which are 5 miles or more off from 41* **Sub-***Registry offices for remittances.* Mr. Thanu Pillai asked why the peons should not be allowed to draw their T. A. under the Travancore Service Regulations especially since they would get more than a rupee per mensem that way. Mr. Balakrishnan Tampi raised the question of the peons of other Departments which also had to make periodical remittances into the Treasury and said that it was for the Government to deal with the question in a comprehensive manner.

Messrs. Ramachandra Rao and Madhava Kurup said that they would gladly accept the suggestion made by the non-official members.

The President said that the suggested provision for T. A. for the peons may await better finances.

The proposed provision was passed.

4. *Revision of scale of pay of* 6 *clerks.*

The proposal to provide Rs. 500 for the conversion of 6 clerks' posts on 40-70 (3 in the office of the Director of Registration including the Head Accountant and the Head Record Keeper, and the 3 Head Clerks' posts in the offices of the District Registrars) into those on 50-75 with a view to make them interchangeable with those of III grade Sub-Registrars, was approved by the Committee.

AGRICULTURE AND FISHERIES.

Mr. K. R. Narayana Aiyar, Director of Agriculture and Fisheries was present.

5. *Cinema Projector.* The lump sum provision of Rs. 2,000 for the purchase of a cinema projector, for propaganda, was approved by the Committee.

6. *Bee-keeper* The provision of Rs. 55 for the revision of the scale of pay of the bee-keeper from 12-1/2-25 to 20-1-25, was agreed to by the Committee.

7, *Grass lands.* The proposed provision of Rs. 1,110 for the improvement and conservation of grass lands was approved by the Committee.

8. *Agricultural School at Kottarakara.* The provision of Rs. 4,795 for continuing the Agricultural school at Kottarakara was agreed to by the Committee.

9. *Kari Experimental Station at Porakkad.* The Committee agreed to the provision of Rs. 1,090 for the purpose. Mr. Balakrishnan Tampi suggested the need for a trained man at the Station, and the Director said that it was directly under the Bio-chemist.

10. *Additional staff for the Director's office.* The Director explained how of late the correspondence work in his office has increased. The Committee agreed to the provision of Rs. 374 for 1 additional clerk on Rs. 25-3-40 and 1 additional peon on Rs. 9-1/6-11.

11. *Economic Botanist—Shifting of his h adquarters from Nanjinad to Onattukara.* Mr. Thanu Pillai asked why there should be any provision for additional staff for the mere shifting of headquarters. The Director explained that while there is a regular farm at Nagercoil, at Onattukara the Economic Botanist will have to work independently. The provision of Rs. 800, as per the following details, was agreed to by the Committee on the assurance by the Director that he can get a B. Ag., for the proposed post of Agricultural Sub-Inspector :—

		Rs.
1 Agricultural Sub-Inspector on Rs. 25-3-40	...	125
Rent for office building at Rs. 15 per mensem	...	75
Rent for a 5 acre block of paddy field at Rs, 200 per annum	...	100
Contingencies	...	500

12. *Conversion of the Veterinary Dispensary at Parur into a Veterinary Hospital.* The provision of Rs. 1,284 as per the following details was agreed to by the Committee :—

		Rs.
1 Second Grade Veterinary Inspector on Rs. 50-5-75	...	550
2 peons on Rs. 9-1/6-11	...	198
Travelling Allowance	...	150
Drugs and instruments	...	300
Rent for building	...	36
Office expenses etc.	...	50
		1,284

13. *Continuance of the temporary Veterinery Compounder at Neyyattinkara.* The provision of Rs. 280

(Rs. 165 for the pay of the Compounder on Rs. 15-1/2-20 for 11 months,
Rs. 55 for cycle allowance for 11 months,
Rs. 60 for fixed contingent grant for 12 months at Rs. 5 per mensem)

was passed by the committee.

14. *Technical Assistant in the Veterinary Clinical Laboratory.* The Committee approved of the provision of Rs. 1,050 (Rs. 550 for the Inspector for 11 months, and Rs. 500 for laboratory charges) for the purpose.

15. *Veterinary Vydians.* The Committee agreed to the provision of Rs. 220 for the purpose of giving grants to certain Veterinary Vydians,

16. *Fishery School at Karunagapally.* Mr. Balakrisnan Tampi raised the question of immediate attention being paid to the erosion by the sea especially between Karunagapalli and Neendakara, and Mr. Ramachandra Rao said that the marine expert of the Cochin Harbour may be invited to inspect the locality and to suggest the necessary works.

The committee agreed to the proposed provision of Rs. 165 for an additional teacher on Rs. 15-1/3-18 for the Fishery School for Arayas at Karunagapalli.

17. *Fishery School at Munambam.* The Committee also agreed to a similar provision of Rs. 165 for an additional teacher for the Fishery School at Munambam.

18. *Imported Cattle—Quarantine Stations for.* The provision of Rs 3,562 as per the following details was passed by the Committee:-

		Rs.
2 II Grade Veterinary Inspectors	...	1,100
4 Peons on Rs. 9	...	396
Consolidated T. A. for the 2 Inspectors	...	330
Do. for the 4 peons at Rs. 2 each per mensem	...	88
Contingencies.		
Biological products	...	250
Feeding of animals	...	1,000
Building rent	...	168
Office expenses etc.	...	230
		3,562

19. *Cold Storage—Lump sum Provision of Rs. 5,000 for the following items:—*

(*a*) *Experiments in cold storag.*

		Rs.
(i) Electric and Water charges for the plant	...	3,000
(ii) Mechanics (2) and Oilman	...	720
(iii) Price of fish to be purchased for the experiment	...	1,280
(*b*) *General Experiment.*		
Shark liver for oil extraction	...	500
(*c*) Purchase and repair of machinery	...	250
(*d*) Cooly wages	...	160
	...	5,920

The provision was passed.

(20) *Buffalo breeding station at Koovapady in Perumbavoor.* The proposed provision of Rs. 784 as per the following details was agreed to by the Committee ;—

		Rs.
2 Bull-keepers (1 on Rs. 10 and the other on Rs. 7, for 12 months)	...	204
1 Stockman on Rs. 20-1-25 for 11 months	...	220
Livestock maintenances etc.	...	360
		784

Reference was made to the Vechoor cows ; and the Director said that, on hearing of a similar breed in the Laccadive Islands, he has started correspondence with the authorities there.

21. *Fish curing yard at Warkalai.* The provision of Rs. 7,000 for the purpose was agreed to by the Committee,

ACCOUNT OFFICE.

22. *Loan Section—Confirmation of the temporary Staff.* The proposed provision of Rs. 715 was agreed to by the Committee in view of the fact that there are over 5,000 parties whose accounts are being dealt with in the Section.

23. *Regradation of the Staff of the Account Office.* Mr. Thanu Pillai observed that there was no meaning in such regradation so soon after the standardisation. The proposed provision of Rs. 220 towards the additional cost involved in the following regradation was passed by the Committee :—

Present staff.			*Proposed staff.*		
9	Auditors on	100-5-125	10	Auditors on	100-5-125
14	,,	75-5-100	17	,,	75-5-100
57	,,	40-5-70	61	,,	40-5-70
65	,,	25-3-40	57	,,	25-3-40

24. *O. A. D.—Continuance on a permanent basis of the temporary staff.* The provision of Rs. 300 (for 1 Audi or on Rs. 25-3-40) was passed.

25. *Education Section—Continuance in 1114 of the clerk-typist on Rs. 20-1-25 and Mochee on* Rs. *11-1/5-13.* The provision of Rs. 341 was agreed to.

26. *Anchal Hundi Section.* The proposed provision of Rs. 165 for the continuance in 1114 of the temporary Attender on Rs. 15-1/3-20 was agreed to.

27. *Pension Section—Continuance on a permanent basis from 1-1-14, the temporary staff of 2 Auditors on Rs. 25-3-40.* The proposed provision of Rs. 550 was passed.

28. *Revision of Codes—Continuance of the Special Officer and his present staff, and addition of 1 Auditor on Rs. 100-125.* The proposed provision of Rs. 14,792 as per the following details was passed :—

	Rs.
Special Officer (500-700)	8,400
3 Auditors on 100-125, 1 Typist 1 Mochee and 6 peons	5,042
Travelling Allowance	700
Contingencies	650
	14,792

29. *Provident Fund Section.—Continuance of the Temporary Additional staff.* Mr. Thanu Pillai complained generally about the Government first sanctioning additional expenditure in the middle of a year behind the back of and without reference to the Legislature on the ground that it was going to be only temporary, then coming before the Finance Committee for what is called "mere continuance" of such temporary arrangement, and then ultimately making the whole thing permanent.

The provision of Rs. 1,386 as per the following details was passed.

	Rs.
Continuance, on permanent basis from 1-1-1114 of 4 Auditors on Rs. 25-3-40.	1,100
Continuance, as temporary during 11 months of 1114, of 1 Attender on Rs. 15-1/3-20 and 1 Mochee on Rs. 11-1/5-13.	286
	1,386

30. *Additional staff for the Savings Banks, Deposits and Treasury Audit Sections, and additional Diarists, Attenders and Peons for the Account Office.* The statements furnished were scrutinised by the non-official members, and Mr. Ramachandra Rao explained how the work has enormously increased and how the staff of the Account Office was frightfully overworked. With a view to collect the additional information asked for by the non-official members, the consideration of the item was postponed to the next day.

FINANCE DEPARTMENT.

31. *Record keeper and Attender—Continuance of, on a permanent basis, from* 1-1-1114. The provision of Rs. 473 (Rs. 308 for the Record Keeper for 11 months, and Rs. 165 for the Attender for 11 months) was passed.

32. *Stamps.* The provision of Rs. 900 for the continuance on a permanent basis from 1-1-1114, of the temporary additional clerk on 75-5-100, was passed.

INDUSTRIES.

Mr. C. Kumara Das, the Director of Industries was present. Mr. Balakrishnan Tampi said that it was necessary to smmon Mr. Dogar Singh before the members are asked to pass the provision for the Ceramic Factory. That item was therefore postponed for Saturday the 9th July 1938.

33. *Prospecting of mica, graphite and limestone.* The Committee agreed to the provision of Rs. 12,018 as per the following details:—

	Rs.
1 Asst. (on 75-5-100) to the Geological Assistant	825
2 peons on 9-1/5-11	198
P. T. A. for the Geological Asst. at Rs. 75 per mensem	495
T. A. for his Assistant and for the peons	500
Contingencies (excavation charges, etc.)	10,000
	12,018

Mr. Balakrishnan Tampi suggested that the designation of the Geological Assistant may be changed into "State Geologist".

Mr. Thanu Pillai suggested that the Committee may meet from the next day onwards, during Court hours instead of in the morning.

The Committee adjourned at 11-15 A. M. to meet again the next day at 1-30 P. M.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON FRIDAY, THE 8TH JULY 1938/24TH MITHUNAM 1113.

The third meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices at 1-30 P.M. on Friday, the 8th July 1938/ 24th Mithunam 1113.

The following members were present:—

C. O. Madhavan Esq., B. A.. B. L., Ag, Chief Secretary to Government—president.

Kochikal P. Balakrishnan Tampi Esq., B. A., B. L., Member, Sri Chitra State Council.

A. Thanu Pillai Esq., B. A., B. L., Member, Sri Mulam Assembly.

K. Kesavan Esq., B. A., B L., Member, Sri Mulam Assembly.

M. Ramachandra Rao Esq., B. A., Ag. Commissioner of Police.

M. Govinda Pillai Esq., B. A., Ag. Secretary to Government.

The Committee met again at 1-30 P. M.

FOREST DEPARTMENT.

Mr. P. Raman Pillai, the Conservator of Forests was present.

34. *Kudivila—Continuance in 1114 also of the temporary staff for the settlement of claims.* The provision of Rs. 5,500 for the following item was passed.

CONSERVATOR'S OFFICE.

1 clerk on Rs. 40-5-70.
1 clerk on ,, 25-3-40.

DIVISIONAL FOREST OFFICES.

8 clerks on Rs. 25-3-40.
8 clerks on ,, 20-1- 25.

35. *Game Warden.* The lump provision of Rs. 1,750 proposed by the Government for the construction of wooden machans, boat-shed etc., and the opening of new roads etc., in and around Thekkady, was agreed to by the Committee.

36. *Game Warden's Clerk.* The proposed provision of Rs. 33 for the enhancement of the scale of pay of the Game Warden's clerk to Rs. 25-3-40 was passed.

(Mr. Balakrishnan Tampi suggested the urgent need for the sinking of wells on the way to Sabarimalai and for the provision of other facilities for the pilgrims. It was stated on behalf of the Government that a comprehensive scheme for the purpose is under consideration by the Government.)

AGRICULTURE DEPARTMENT.

37. *Propaganda—Additional staff for*—(The Director of Agriculture was present) On the assurance of the Director of Agriculture that he will give a reorientation to the Department and extract really good work out of his subordinates, the Committee agreed to the proposed additional provision of Rs. 7,183 for the following additional staff, besides the provision for the confirmation of 3 II Grade temporary Inspectors on the condition that the proposed scheme shall be tried temporarily for 1 year in the first instance and then for 2 more years, with a view to watch the results—

3 Divisional Agricultural officers on Rs. 100-10/2-150
3 Second Grade Agricultural Inspectors on Rs. 50-5-75
5 Second Grade Agricultural Demonstrators on Rs. 20-1-25
4 clerks (1 on Rs. 25-3-40 and 3 on Rs. 20-1-25) and
2 Peons on Rs. 9-1/6-11.

Mr. Balakrishnan Tampi suggested that Trivandrum, Mavelikara and Moovattupuzha might be fixed as the headquarters for the proposed divisions.

GENERAL ADMINISTRATION.

38. *Malayalam Typists.* The proposed provision of Rs. 1,049 for the continuance of the 4 temporary hands (including increments to the present incumbents) was agreed to.

39. *Press Room—Staff.* The proposed provision of Rs. 2,153 was opposed by all the non-official members on the ground that considering the kind of questionable work done by the present Director of Information, they are against approving this proposal.

40. *Central Vernacular Records—Clerk-typist for.* The proposed provision of Rs 220 for a temporary clerk-typist on Rs. 20-25 was passed,

41. *Travancore Directory.* The Committee agreed to the provision of Rs. 2,000 (Rs. 350 under Establishment for allowances to the clerks and typist for 7 months from Karkatakam 1113, and Rs. 1,650 under Contingancies).

42. *Temporary Clerk for work re: Public Service Recruitment.* The Committee agreed to the provision of Rs. 440 for an additional clerk, on Rs. 40-70 in the General Section.

43, *Mathilakam Vernacular Records.* Mr. Thanu Pillai complained that the post of Honorary Director for the Central Vernacular Records was created without reference to the Legislature.

The Committee agreed to the proposed provision of Rs. 10,600 for the continuance during 1114, of the whole of the following temporary staff, for listing and copying the old records in the Mathilakam (The provision includes increments for the incumbents):—

2 clerks on Rs. 40-70
7 do. on „ 25-40
25 scribes on „ 20-25, and
5 peons on „ 9-11.

ELECTRICITY.

Mr. K. P. Padmanabha Menon, the Electrical Chief Engineer was present.

44. *Training of 2 Asst. Engineers in Madras for gaining practical experience in the operation of the generating plant and the maintenance of high tension transmission lines.* The proposed provision of Rs. 1,200 was passed.

(Mr. Thanu Pillai enquired when current would be available from Pallivasal. The Engineer replied that it would be available by the end of next year)

45. Trivandrum Electric Supply—Additional staff for the Meter and Distribution Main Sections.

The provision of Rs. 440 for 2 additional Linesmen on Rs. 20-1-25 and Rs. 99 for 1 additional peon on Rs. 9-11 was passed.

46. *Trivandrum Telephone Exchange.* The provision of Rs. 440 for 2 additional operators on Rs. 20-1-25 was agreed to.

47. *Trivandrum Electric Supply.—Executive Engineer's staff—Confirmation of.* The provision of Rs. 1,243 for the confirmation of the following staff from 1-1-1114, was passed.

3 clerks on Rs. 25-3-40
1 clerk-typist on „ 20-1-25, and
2 peons on „ 9-1/6-11.

48. *Trivandrum Electric Supply—Temporary Revenue Officer on 40-70—confirmation of.* The proposed provision of Rs. 560 for the purpose was passed.

49. *Broadcasting.* The proposed provision of Rs. 7,950 for the training of 1 Assistant Engineer and 4 graduates was opposed by all the non-official members of the Committee on the ground that they had reasons to apprehend the misuse of broadcasting by the Government of Travancore, and that broadcasting was very costly.

PUBLIC HEALTH.

Dr. M. K. Gopala Pillai, the Director of Public Health was present. The following items were passed:

50. *Anti-rabic vaccine—Manufacture of it here* Rs. 8,215—composed of

Rs. 165 for 1 Laboratory Assistant on Rs. 15-20
Rs. 220 for 2 Stable Attenders (1 on Rs. 11-15 and another on Rs. 9-11)
Rs. 220 for allowance to the Sub-Assistant Surgeon,
Rs. 110 for allowance to the Research Assistant
Rs. 2,500 for sheds, cages etc,
Rs. 3,000 for incubator and refrigerator
Rs. 1,000 for operation tables, instruments etc., and
Rs. 1,000 for an incenerator.

The capital expenditure is Rs. 7,500 and the recurring expenditure Rs. 780 per year. The proposed provision is Rs. 8,215 for 11 months.

51. *Prevention of epidemics in Tovala, Agasteeswaram, Kalkulam Vilavankod, and Shencotta—Health organisation for.* The scheme is temporary and the provision is Rs. 9,688 for 12 months.

52. *Vaccinators in the laboratory—revision of pay of.* The proposal is to substitute 2 on 20-1-25 and 3 on 25-3-40, for the present 3 posts on Rs. 33 and 2 on Rs. 15. The provision is Rs. 110.

53. *Statistician.* The provision is for the continuance of the temporary Statistician during 1114, and the amount is Rs, 770.

54. *Assistant Health Educational Officer.* The provision of Rs. 1,105 (Rs. 855 for his pay and Rs. 250 for his T. A.) is for the continuance of the post in 1114 also.

55, *Exhibits.* The amount provided is Rs. 400 and is intended for making new public health exhibits.

56. *Cinema films.* The provision is for Rs. 1,500 for making cinema films.

57. *Attender for the Assistant Health Educational Officer.* The provision is for Rs. 150 for the pay (Rs. 9 per mensem) and T. A. of the Attender.

58. *Entomological Assistant.* The proposal is to make the post (on Rs. 100-10/2-150) permanent from 1-1-1114, and the amount is Rs. 1,100.

ADMINISTRATION OF JUSTICE.

59. *Conciliation Boards.* The proposed provision of Rs. 63,620 for the continuance of the 8 Conciliation officers (including the Chief) and their staff, was passed.

60. *Legal Remembrancer's temporary staff—Confirmation of.* The staff consists of 1 clerk on Rs. 40-5-70
1 typist on Rs. 25-3-40 and
2 peons on Rs. 9-1/6-11.

Mr. Thanu Pillai suggested that the staff may continue as temporary during 1114. The provision of Rs. 913 was passed.

61. *Stenographer for the Advocate-General.* The proposal was opposed by Mr. Thanu Pillai on the ground that with the substitution of a full-time Legal Remembrancer for a part time Law Member, and consequent redistribution of work between him and the Advocate-General, the latter should have got some relief.

Mr. Balakrishnan Tampi suggested that, instead of the proposed Stenographer on Rs. 40-70, a Stenographer on 25-40 may be sanctioned. That suggestion was accepted and the proposed provision of Rs. 440 was reduced to Rs. 275.

The Committee adjourned at 5 P. M.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON SATURDAY, ON THE 9TH JULY 1938/25TH MITHUNAM 1113.

The fourth meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices at 1-30 P. M. on Saturday, the 9th July 1938/25th Mithunam 1113.

The following members were present:—

C. O. Madhavan Esq., B. A., B. L, Ag. Chief Secretary to Government—President.

Kochikal P. Balakrishnan Tampi Esq., B. A., B. L., Member, Sri Chitra State Council.

A. Thanu Pillai Esq., B. A., B. L, Member, Sri Mulam Assembly.

K. Kesavan Esq., B. A., B. L., Member, Sri Mulam Assembly.

M. Ramachandra Rao Esq., B. A., Ag. Commissioner of Police.

M. Govinda Pillai Esq., B. A., Ag Secretary to Government.

THE COMMITTEE MET AGAIN AT 1-30 P. M.

62. *Temporary Second Judges.*—The proposed provision of Rs. 32,829 composed of the following items for the continuance of the 5 temporary second Judges was passed:—

		Rs.
5 Judges on Rs. 300-25/2-400	...	18,735
5 clerks on Rs. 25-3-40	...	1,749
15 clerks on Rs. 20-1-25	...	3,949
15 peons on Rs. 9	...	1,485
40 Process peons on Rs. 9-1/6-11	...	3,960
12 clerks on Rs. 20-1-25 for the District Courts and Official Receivers	...	2,951
		32,829

Munsiffs' Courts. The proposed provision of Rs. 45,754 for 5 temporary Munsiffs and staff, was passed. The provision is composed of the following items:—

		Rs.
5 Munsiffs on Rs. 150-10/2-200	...	12,650
Establishment	...	24,315
35 clerks on Rs. 20-1-25 for the 35 Munsiffs	...	8,789
		45,754

Village Panchayat Court, Nagercoil. The proposed provision of Rs. 341 for 1 temporary clerk on Rs. 20-1-25 and 1 temporary peon on Rs. 9-1/6-11 was passed.

Poonjar I Class Magistrate. The provision of Rs. 594, for 1 temporary Head clerk on Rs. 30, 1 temporary copyist on Rs. 15 and 1 temporary peon on Rs. 9 for the Poonjar I Class Magistrate, was strongly and unanimuously opposed by all the non-official members on the ground that it was wrong on principle to invest the employee of any private gentlemen with magisterial powers.

63. *Government Pleaders (temporary).* The figures relating to the Civil and Criminal work of the Government pleaders in Trivandrum, Quilon, Kottayam and Alleppey, were scruitinised by the Committee, and the non-official members opposed the provision for a temporary Government Pleader for Alleppey on the ground that there was not enough work there even for the permanent Government Pleader.

The Committee passed the provision of Rs. 12,859 for 3 temporary Government Pleaders (on Rs. 350) in Trivandrum, Quilon and Kottayam, for 4 clerks on Rs. 20-1-25 including the land acquisition clerk in Trivandrum, and for 3 peons on Rs. 9-1/6-11.

CENTRAL PRISON.

64. *Leather-goods—manufacture of.* It was explained to the non-official members that it was proposed to manufacture boots, belts, etc., in the Jail for supply to the Police, Military and other Departments. Mr. Thanu Pillai said that the provision need only be temporary for 1114. The proposed provision composed of Rs. 5,935.

		Rs.
(Machines, tools and raw materials	...	5,000
1 Boot Foreman on Rs. 25-3-40	...	275
1 Shoe Maistry on Rs 20-1-25	...	220
1 Assistant Jailor on Rs. 40-5-70	...	440)

Was passed

65. *Electric lights for the Jail compound.* The proposed provision of Rs. 1,400 for 29 lights was agreed to.

66. *Prison Press.* The Committee approved of the proposed provision of Rs. 6,512 for the Press in the Central Prison. The amount is composed of the following items:—

		Rs.
Rotary perforator with cutters	...	1,400
Envelope Cutter	...	1,750
Spare knives for do.	...	134
Ruling machine accessories	...	200
Types	...	1,500
Fitting up of inking riders	...	1,000
Hand punching and eyeletting machine	...	28
Grooved mounts for stereoplates	...	500
		6,512

POLICE.

67. *Santhanpara Outpost.* The Committee agreed to the proposed provision of Rs. 1,130 and 7 chuckrams for the continuance of the temporary outpost at Santhanpara.

68. *Urdu Munshi for the Police Training School.* The non-official members suggested the substitution of the term "Hindi" or 'Hindustani' for the term "Urdu." The proposed provision of Rs. 220 for a Munshi on Rs. 20 was passed.

69. *Outpost for Monkompu.* Mr. Balakrishnan Tampi said that there was no necessity for an outpost at Monkompu since Pulinkunnu was so near the place. Mr. Thanu Pillai referred to the recent assaults on some of the members of the State Congress and to what he called rowdyism at public meetings, strongly condemned the work of the Police, and said that he would not allow any further strengthening of the Police force and that, if an outpost was considered necessary at Monkompu, the Department might open one there by diverting the required men from some other place.

It was represented on behalf of the Government that the demand in question related solely to the needs of a particular locality and should not be denied on general grounds. Mr. Ramachandra Rao assured that he would see to it that there is no rowdyism in the State, and that he should be given a chance.

Mr. Balakrishnan Tampi agreed that since there were many rich men at Monkompu and since there was also a bust of His Highness the Maharaja there, an Outpost was necessary there.

The provision of Rs. 555-14-0 was passed.

(Rs. 550 for 4 constables, 1 in each of the 4 grades (11, 12, 13 and 14), and Rs. 5-14 chuckrams for lighting charges at 14 chs. a month)

70. *Reserve Police—Strengthening of.*—The proposed provision of Rs. 4,246 for 1 more Head Constable and 25 more constables for the Armed Reserve was unanimously opposed by the non-official members on the grounds raised by them in connection with the last item.

PORTS.

71. *Reserve Signal Men:* The Committee agreed to the proposed provision of Rs. 360 for 3 reserve signal men.

STATIONERY AND PRINTING.

72. *Standardisation of forms—Revision of the pay of the Stationery Superintendent from Rs. 200-250 to 250-300 with a view to bring him up to the Assistant Secretary's grade.* Mr. Thanu Pillai complained that high paid posts should not be increased. Mr. Balakrishnan Tampi replied that that was a general question which could not be solved by nibbling here and there.

The proposed provision of Rs. 550 was passed.

SCIENTIFIC AND MISCELLANEOUS.

73. *Public Gardens and Zoo—Conversion of the typist's post paid out of contingencies into a permanent typist's post on Rs. 20-25.* The provision of Rs. 220 for the purpose was agreed to.

74. *Museum—Curator's training in British India.* The provision of Rs. 400 (Rs. 300 for T. A. and the balance for miscellaneous expenditure) was agreed to.

75. *Zoo—Allowance to Veterinary Inspector attending on the animals of the Zoo.* The proposed psovision of Rs. 220 for the purpose was passed.

STATIONERY AND PRINTING.

76. *Government Press—Publication Branch—Continuance of the temporary staff of.*

1 clerk on Rs. 22 in the scale of Rs. 20-1-25
1 Counter on Rs. 12 in the scale of Rs. 11-1/3-15
1 Packer on Rs. 10 in the scale of Rs. 9-1/6-11.
Allowance Rs. 10 per mensem to Storekeeper,
Do. Rs. 5 " " Accountant.

The provision of Rs. 759 for the purpose was agreed to by the Committee.

Reading Section—Continuance of the temporary staff of.

2 Examiners on Rs. 21 in the scale of Rs. 20-1-25
1 Reader on Rs. 11-1/3-15.
1 " Rs. 10.

The proposed provision of Rs. 693 was passed.

77. *Controller.* The proposed provision of Rs. 4,180 towards the salary of the present incumbent at Rs. 380 per mensem was passed.

78. *Stores Purchase Committee Office.* The proposal was to continue the following staff, temporarily during 1114:—

1 Manager on Rs. 100-10/2-150
2 clerks on Rs. 40-5-70
1 clerk on Rs. 25-3-40
1 clerk on Rs. 20-1-25
1 Typist on Rs. 25-3-40
1 Clerk-typist on Rs. 20-1-25
4 peons to be paid out of the contingency provision of Rs. 2,300.

The proposed provision of Rs. 3,780 for the staff and Rs. 2,300 for contingencies was approved of by the Committee.

Mr. Thanu Pillai enquired as to the amount gained so far as a result of the new arrangement, and Mr. Ramachandra Rao replied that it was too early to judge the results of the scheme.

79. *Central Printing Office Manager—Revision of the pay of the post to Rs. 150-10/2-200 which is the scale of the Superintendents of the Secretariat.* After some discussion it was passed.

80. *Assistant Store-keeper in the Stationery—Raising the pay from Rs. 50 to the scale of Rs. 40-5-70.* Since the present incumbent is getting Rs. 70 no additional provision is necessary. The proposal was accepted.

Industries—(contd).

81. *Ceramic Factory.* The Expert and the Director of Industries were present. On enquiry, the Expert gave the following figures:—

	Rs.
Amount spent so far	4,50,970
Total amount required	6,34,000
Composed of the following items:—	
Land and building	2,13,000
Washing plant	56,000
Furnaces	37,500
Equipment etc.	33,000
Machinery	2,60,500
Preliminary expenses including Supervision charges of the P. W. D.	34,000
	6,34,500

The Expert said that he has already started grinding and hopes to begin sales even in August, and that the factory will be working in full swing by November or December. He showed samples of his clay as well as British clay and said that he hopes to oust the latter from the Indian Market. On being asked about the estimated profit, the Expert said that, even by selling at Rs. 20 per ton, there would be a net profit of 10 to 15 per cent. He entreated the non-official members to pay a visit to the factory.

The proposed provision of Rs. 3,30,000 (Rs. 1,35,000 under Capital Expenditure and Rs. 1,95,000 under working expenses including sale expenses) was approved of by the Committee.

82. *S. M. R. V. Technical Institute, Nagercoil,—Acquisition of the present building.* The proposed provision of Rs. 10,000 (Rs. 8,000 for the purchase of the site and building, and Rs. 2,000 for the improvement of and additions to the building) was passed.

Mr. Balakrishnan Tampi asked why the training in weaving should be confined to South Travancore alone and why another institute should not be started somewhere in Central Travancore, in Onattukara for instance. The Director of Industries said that South Travancore is a weaving centre.

83. *Government Sales Depot, Trivandrum.* The non-official members opposed the provision of (Rs. 2,343) on the ground that it is not even self-supporting.

OBSERVATORY.

84. *Electric Clock for the Astronomical Branch.* The proposed provision of Rs. 1,000 was accepted.

85. *Meteorological Section—Making the temporary peon's post permanent.* The proposed provision of Rs. 110 (Rs. 99 as pay and Rs. 11 as allowance) was passed.

ORIENTAL MANUSCRIPTS:

86. *Cataloguing-Continuance of the temporary staff for 6 months in 1114.* The proposed provision of Rs. 371 (monthly allowance to Chief Pandit at Rs. 36 chs. 20 per mensem, and Rs. 25 per mensen for another Pandit) was agreed to.

ANCHAL.

87. *12 Additional Anchalmen.* The Committee approved of the provision of Rs. 1,320 for the appointment of 12 more Anchalmen, each on Rs. 10 per mensem.

88. *Savings Bank-additional staff.* The provision of Rs. 660 (for 2 additional clerks on Rs. 20 each for the Superintendent's office, and 1 more clerk on Rs. 20 for the Kottayam Anchal Office) was passed.

89. *Sacred Heart Mount non-departmental Anchal Office—Continuance of the temporary Anchalman.* The proposed provision of Rs. 110 was passed.

ACCOUNT OFFICE.

90. *Additional staff.* The proposals were again taken up, and the figures of the number of Savings Bank Accounts, asked for by the non-official members, were furnished to them.

The following additions to the staff had been proposed:—

Savings Banks Section—4 more Auditors.
Deposits Section.—2 more Auditors, and 1 more peon.
Diarists—for 5 Sections.
Treasury Audit Section—2 more Auditors.
Attenders—2 more for the whole office.
Education Section—1 more peon.
P. W. Section—1 more peon.

The proposed provision of Rs. 8,724 (for 13 additional Auditors, 2 on Rs. 100-5-125, 3 on Rs. 75-5-100, 3 on Rs. 40-5-70 and 5 on Rs. 25-3-40), 2 Attenders on 15-1/3-20 and 3 peons on Rs. 9-1/6-11 was agreed to by the Committee after thorough scrutiny of the figures relating to the quantum of work in the Account Office.

Backward Communities.

91. *Amelioration Schemes.*—The proposal was to provide Rs. 2,160 for Field staff and 3 Field Officers on Rs. 30 each for 12 months (Rs. 1080), their permanent T. A. at Rs. 15 per officer per month for 12 months (Rs. 540), fixed contingent grant at Rs. 15 per officer per mensem for 12 months (Rs. 540), Rs. 30,000 (Rs. 8,000 for land for

colony and burial grounds, Rs. 3,000 for wells, Rs. 5,000 for common building, prayer halls etc., Rs. 10,000 for educational concessions, Rs.500 for industries, Rs. 1,500 for T. A. to the members of the Advisory Committee, and Rs. 2,000 for miscellaneous grants as a lump provision for amelioration, and Rs. 10,000 under "Debt Head" for house construction loans.)

The Committee examined the list of members of the Advisory Committee. The non-official members suggested that such an Advisory Committee was not necessary and that its allotment might well be diverted for other useful purposes for the backward communities.

The proposed provision of Rs. 42,160 was passed.

Public Service Commissioner.

92. *Temporary additional staff in the office of the Commissioner.* The proposed provision of Rs. 2,110
(Rs. 150 for 6 clerks on 25-3-40
Rs. 15 for 1 Attender on Rs. 15-1/3-20
Rs. 9 for 1 peon on Rs. 9-1/6-11)
was passed.

Ayurveda.

The personal Assistant to the Honorary Director was present.

93. *Curator of the Botanical Garden.* The Committee agreed to the proposed provision of Rs. 220.

94. *Hospital—Additional Staff of 1 Assistant Vydian.* The proposed provision of Rs. 200 for an Assistant Vydian on Rs. 20-1-25 was passed.

95. *College—Additional Pandit on Rs. 20-1-25 for Visha Vydiam.* The proposed provision of Rs. 220 was passed.

96. *Hospital—Additional beds.* The proposed provision of Rs. 2,500 for 5 more beds was passed.

Mr. Thanu Pillai suggested the shifting of the Hospital to a better building in a better locality.

97. *Director's Office—Contingencies.* The proposed provision of Rs. 372 was intended for (1) an additional amount of Rs. 70 for furniture, (2) Rs. 35 for tour charges (3) an additional sum of Rs. 10 for Anchal charges, (4) an additional amount of Rs. 175 for temporary vaidyasalas at Sabarimala, Vaikom and other places during festivals for which the provision in Part I of the Budget was only Rs. 325, (5) Rs. 60 for a bicycle and (6) Rs. 22 for cycle allowance at Rs. 2 per mensem.

The provision was agreed to.

98. *Director's Office—Continuance of Head Accountant.* The provision of Rs. 480 was passed.

99. Director's T. A. The additional provision of Rs. 600 for the purpose so that there will be a sum of Rs. 1,200 available on the whole for his T. A. was agreed to by the Committee.

100. *Personal Assistant to the Director—conveyance allowance.* The Committee approved of the provision of Rs. 220 for the purpose.

101. *Grants-in-aid—6 more Grants at Rs. 15 per mensem to 6 more vaidyans.* The provision was passed.

102. *Director's Office—Additional staff of 1 Malayalam Typist on Rs. 20-1-25 to be continued in 1114 also, and 3 more peons on Rs. 9-1/6-11.* The proposed provision of Rs. 537 (Rs. 240 for the Malayalam Typist, and Rs. 297 for the peons) was passed.

The Committee adjourned af 5.57 P. M. to meet again at 8-30 A.M on Sunday, the 10th July.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON SUNDAY, THE 10TH JULY 1938/26TH MITHUNAM 1113.

The fifth meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices, at 8-30 A. M. on Sunday, the 10th July 1938/26th Mithunam 1113.

The following members were present :—

C. O. Madhavan Esq., B. A., B. L., *Ag. Chief Secretary to Government—President.*

Kochikal P. Balakrishnan Tampi Esq., B. A., B. L., *Member, Sri Chitra State Council.*

A. Thanu Pillai, Esq., B. A., B. L., *Member, Sri Mulam Assembly.*

K. Kesavan Esq., B. A., B. L., *Member, Sri Mulam Assembly.*

M. Ramachandra Rao Esq., B. A., *Ag. Commissioner of Police.*

M. Govinda Pillai Esq., B. A., *Ag. Secretary to Government.*

The Committee met again at 8-30 A. M.

Medical.

Mrs. M. Poonen Lukose, Ag. Surgeon-General was present.

103. *Hospital menials.* The proposed provision of Rs. 242 for menials in some of the hospitals was agreed to.

104. *House Surgeons—Honoraria for.* Mr. Balakrishnan Tampi suggested that Honorary House Surgeons must be posted at mofusil hospitals also. The need for proper distribution, among the various hospitals in the State, of the available House Surgeons was emphasised.

The provision of Rs. 4,290 (Rs. 3,630) for 11 medical graduates at Rs. 30 each per mensem, and Rs. 660 for 4 L. M. Ps. at Rs. 20 each per mensem for 11 months) for honoraria to the House-Surgeons was passed.

105. *Palode Dispensary—Additional staff for the.* Instead of the proposal in the note, for 1 trained nurse on Rs. 20-25 the Surgeon-General said that 1 sick nurse on Rs. 12-15 would suffice. The Committee agreed to the proposed provision of Rs. 242 (Rs. 132 for a sick nurse on Rs. 12-15, and Rs. 110 for a Male Warder on Rs. 10-12).

The following items were passed :—

106. *Kadakkal Dispensary—continuance of in 1114* :—Rs 1,392.

107. *General Hospital, Trivandrum.* Additional staff of

1 Second Class Steward on Rs.25-3-40—Rs. 275 for 11 months.

1 Clerk on Rs. 20-1-25—Rs. 220 for 11 months.

1 Attender for the operation theatre (on Rs. 15-1-20)—Rs. 165 for 11 months.

2 Stretcher bearers on Rs. 10-12 each—Rs. 220 for 11 months.

Total provision Rs. 880.

108. *Confirmation of temporary nurse on Rs. 25-40 against the nursing Sister's post which was abolished—Rs. 480.*

109. *Vidura Dispensary—continuance of in 1114.*

1 Sub-Assistant Surgeon on Rs. 50-5-75	Rs. 50 p. m.
1 Compounder on Rs. 20-1-25	Rs. 20 p. m.
I Peon on Rs. 9-1/6-11	Rs. 9 p. m.
1 Midwife on Rs. 20-1-25	Rs. 20 p. m.
	99

Total provision Rs. 1,089/- for 11 months.

110. *General Hospital—Confirmation of 8 Warders* Rs. *880.*

111. *Leper Colony, Noornad—Confirmation of Steward-clerk on Rs. 20-25*—Rs. 220.

112. Leprosy—Continuance of the 4 temporary Sub-Assistant Surgeons on Rs. 50-5-75 – Rs, 2,200.

Mr. Thanu Pillai suggested that something should be done for the lepers in Kadakavur side.

113. *Land Acquisition.*

Rs. 2,800 for 2½ acres for the Perumpavoor Dispensary building.

Rs. 903 for 2·16 acres for shifting the burial ground attached to the Parassala Hospital.

Total provision Rs. 3,703.

114. *Quilon Hospital—Steam Sterilizer* Rs. 1,300

115. *Antirabic treatment in the Kottayam Hospital.*

Vaccine for about 6 patients	Rs. 2,000 for a day.
T. A. for indigent persons	Rs. 250.
Dieting	Rs. 750.
Total provision	Rs. 3,000.

116. *Regrading of Deputy Surgeons and Assistant Surgeons*—The proposal was to create 2 more Deputy Surgeons in the I Grade and to reduce 2 in the II grade, and to add 2 Assistant Surgeons in the I grade and to reduce 2 in the II grade.

The scheme was opposed by all the non-official members. Mrs, Lukose the Surgeon General who was present said that she did not press for this proposal.

117. *Yaws—continuance of the temporary dispensary for the treatment of yaws.* The following is the staff:--

1 Sub-Assistant Surgeon on Rs. 50-5-75	Rs. 50
1 peon on Rs. 9-1/6-11	Rs. 9
1 Warder on Rs. 10-1/5-12	Rs. 10
P. T. A. for Sub-Assistant Surgeon at Rs. 24 per mesem.	Rs. 24
Do. for the peon at Rs. 8 per mensem	Rs. 8
Do. for the Warder at Rs. 7 Do.	Rs. 7
Contingency at Rs. 30 per mensem	Rs. 30

The proposed provision of Rs. 1,518 was passed.

118. *Moovattupuzha Hospital.* The proposed provision of Rs. 253 for

1 additional sweeper on Rs. 3 per mensem, and

1 additional Nurse on Rs. 20-1-25 per mensem was approved of by the Committee.

119. *Surgeon-General's office--Confirmation of temporary Head Accountant on Rs. 75-5-100.* The present incumbent being eligible for the first increment from 1-11-1114, it was proposed to provide at Rs. 80 per mensem for 11 months. The proposed provision of Rs. 880 was passed.

Wood preservation,

Mr. Kamesam, the Expert, explained to the Committee how ascu treated softwood which is cheap in Travancore and in which the local forests are rich can be used for bridge and house construction, how considering the cheapness and the fact that the money will be within the country it is better to have bridges and buildings made of treated wood, how making use of treated wood all local teak especially poles for which the demand is great can all be sold at good prices, how he has succeeded in making Messrs. Harrisons & Crossfield at Quilon to offer $9\frac{1}{2}$ as. per c. ft. for soft wood which was being supplied to them at $6\frac{1}{4}$ annas per c. ft. how Messrs Tata's have offered 12 annas per c. ft. for soft wood, how there is infinite possibility for treated wood industry and construction, and how his only aim in coming to Travancore is to show to the world that with the splendid timber resources of India in general and Travancore in particular, treated timber can easily displace British steel or concrete which have been made so popular solely due to the fact that most of the present engineers are trained in that cult.

The non-official members thanked Mr. Kamesam for his exposition of the subject, and said that they would take up the provision for the purpose later, and dispose of it and if any further explanation was needed he would be again requested to come.

Education.

The Director of Public Instruction was present.

Mr. Balakrishnan Tampi asked Mr A. Gopala Menon, the Director of Public Instruction (1) whether the educational Advisory Committee was still in existence and (2) what further action had been taken as per the Statham Report and (3) why the Vernacular Higher men were still being produced year after year in spite of their unemployment problem. The Director of Public Instruction said that the Advisory Committee had not so far been dissolved, that the Statham Report could only be given effect to gradually, and that it was the need for elementary school teachers that necessitated the continuance of the Vernacular Higher Examination.

The following items were then taken up one after another and passed.

120. *Clerks for the Inspecting Officers—Confirmation of 7 posts, 2 in Trivandrum, 1 each in Quilon, Tiruvella, Moovattupuzha, Inspectress' Office, and the office of her Assistant.*

Proposed provision Rs. 1,680.

121. *Primary Schools—staff.*

1 Headmaster on Rs 20-1/2-25 for the school at Eloor,
1 Headmaster on Rs. 20-1/2-25 for the school at Aloor,
1 Headmaster on Rs. 20-1/2-25 for the school at Eraviputhurkara,
3 teachers on Rs. 15-1/3-18 in the school at Eloor
5 Arabic Instructors, 1 each for the schools at Anakallu, Kuripuzha, Kollayel, South Vazhakulam and Azhoor.

The proposal of the Government is to continue all the posts temporarily during 1114, total provision being Rs. 720.

122. *Vernacular Schools for boys.*

(1) Temporary Headmaster on Rs 30-2-50 for Thanneermukkam Middle School.— Rs. 360.
(2) Temporary Malayalam shorthand Instructor on Rs. 30-2-50 in the High School, Tiruvalla. Rs. 360.
(3) Temporary Drawing Master on Rs. 18-1/3-22 and peon on Rs. 8 for Middle School at Kudayathur. Rs. 312.
(4) Permanent (third one—there are 2 more already) Tamil Teacher on Rs. 20-1-25 for High School, Trivandrum. Rs. 240.
(5) Temporary combined Drawing and Drill Master on Rs. 20-25 and 1 temporary peon on Rs. 8 for Middle school at Perisseri Rs. 336.
(6) 5 Temporary Arabic Munshies on Rs. 18-1/3-22, each for the Middle schools at Changanacheri, Sasthankotta, Kadakkal, Kanjirappalli, and the High School at Quilon, and 1 Arabic Instructor (temporary) on Rs. 12-1/2-15 for Middle school, Nemom. Rs. 1,224.

123. *Permanent T. A. of 21 chs., per mensem per peon, for the 117 V. M. Schools which are more than 5 miles off from Treasuries.*

Total provision Rs. 1,053.

124. *Hindi—Enhancement of Instructors' allowance from Rs. 15 to Rs. 20 per mensem in the S. M. V. and Girls' High Schools at Trivandrum, and in the High Schools at Quilon and Chengannur; and from Rs. 10 to 15 in the Model School and in the High Schools at Neyyattinkara, Mavelikara and Kayankulam, the enhanced rate being given effect to from 1-1-1114.*

Total provision. Rs. 440.

Mr. Balakrishnan Tampi suggested that other things being equal. English knowing hands, especially School Finals should be preferred.

125. *Examination Board—Temporary clerks.*
1 temporary clerk on Rs. 40-70 and
1 temporary peon on Rs. 9-11.
Total provision Rs. 768.

126. *Vancheesamangalam—T. A. for teachers selected to undergo training in correct singing of Vancheesamangalam.*
Total provision Rs. 400.

127. *Temporary Weaving Instructor on Rs. 18-1/3-22 for Kannamangalam V. M. School. Rs. 216.*

128. *Arabic Munshi (temporary) on Rs. 18-1/3-22, of the V. M. School, Adoor. Rs. 216.*

129. *Reformatory—Uniforms for 7 peons.* Rs. 210.

Mr. Balakrishnan Tampi suggested that the provision for the Reformatory should go with that for the Central Prision instead of with that for the Education Department.

The Chief Secretary pointed out that there was the school attached to the Reformatory.

Mr. Balakrishnan Tampi replied that the Director of Public Instruction may control the school and give advice.

130. *Rs. 5,280* for *11 temporary teachers on Rs. 40-70* (10 for the V. H. Schools and 1 for the Women's Higher Grade Training School) to be continued temporarily in 1114.

131. *Rs. 240 for 1 Malayalam Typist, on Rs. 20-1-25, for the office of the Director of Public Instruction.*

132. *Rs. 1,080 for 3 clerks (1 on Rs. 40-5-70 and 2 on Rs. 25-3-40) to be continued temporarily in 1114 in the office of the Director of Public Instruction.*

133. *Rs. 3,000 for the Financial Assistant in the office of the Director of Public Instruction.* the scale being revised to that of the Assistant Account officers (Rs. 250-10/2-300) and the post being made permanent.

134. Rs. 2,880 (for 1 Headmistress on Rs. 200-10/2-250, 1 Malayalam Munshi on Rs. 20-2-40 and 1 clerk on Rs. 20-1-25) for the staff (to be temporary in 1114 also) of the Higher Grade Training School, Trivandrum.

135. *Rs. 240 for 1 clerk on Rs. 20-1-25 in the English High School for Girls, Trivandrum.* (The post which was temporary till now, is to be made permanent from 1-1-1114)

136. *Rs. 1,000 for cash boxes* for 29 Assistant Inspectors' Offices and for the offices of the Chief Inspecting officers.

137. *Text Book Committee—Establishment.* (1 clerk on Rs. 25-3-40 1 clerk on Rs. 20-1-25, and 2 peons on Rs. 9-1/6-11—the whole staff to continue on a temporary basis in 1114)—Provision—Rs. 926.

138. *Assistant Inspectors' Offices.* Revision of the scale of pay of 2 clerks in each of the offices from Rs. 20-1-25 to Rs. 25-3-40—No additional provision was needed.

139. *Dental treatment for pupils.* Rs. 2,500.

Mr. Balakrishnan Tampi suggested that, before the Dentist's bills are paid his work must be supervised by the local medical officer as also by the Headmaster of the school. The Director of Public Instrution pointed out that the Headmaster has to certify the Dentist's bills.

Excise.

140. *Commissioner's office—Additional Typist on Rs. 20-1-25, to be continued temporarily during 1114* —*Rs.* 220.

Mr. Thanu Pillai repeated his complaint against such appointments made out of savings in the middle of a year, behind the back of the Legislature.

The provision was passed.

141. *Railway chowkey at Trivandrum Central Station.*

Temporary additional staff of 1—III grade peon on Rs. 11 and 1 IV grade peon on Rs. 10. Rs. 231.

The provision was approved.

142. (1) *Abkari arrears—Temporary Taluk Office Staff for collection work* :

(12 clerks on Rs. 15) Provision Rs. 1,980.

Mr. Thanu Pillai reiterated his complaint against the staff being first appointed behind the back of the Legislature.

The provision was passed.

143. (2) *Tobacco plantations at Edacode.*—Temporary supervising staff of 1—III grade peon on Rs. 11 and 1—IV grade peon on Rs. 10 for 7 months from 1-12-1113.– Provision of Rs. 147 was passed.

144. (3) *Veli Railway chowkey.*—Rs. 444.

for temporary staff of	1	IV grade Petty Officer on	Rs. 18.
	1	do. peon on	Rs. 10.
and	1	V grade peon on	Rs. 9.

The Committee approved of the provision.

145. (4) *Statistical Work—Lump provision of Rs. 3,000 for the reorganisation of the Statistical Branch of the Commissioner's Office.* The Commissioner pointed out that a senior clerk in his office has got himself trained in Customs Statistics work, at Karachi, Bombay, Calcutta, Pondicherry and other places, and had submitted a scheme for the reorganisation of the Statistical Branch of the Commissioner's office with a view to collect, prepare and furnish correct statistics especially on the matters of the kind demanded by the Government of India on all-India and Federal questions and that it is because the Commissioner has not yet finished thorough consideration of the scheme that only a lump provision has been asked for.

Mr. Balakrishnan Tampi asked whether the trained officer was a graduate or a graduate in law; and the Excise Commissioner replied that he was a graduate in law of 22 years' service.

The provision was passed.

146. Edava Railway Chowkey Rs. 407 for temporary staff of 1 IV grade Petty officer on Rs. 18, 1--IV grade peon on Rs. 10 and 1 V grade peon on Rs. 9.

The provision was approved.

The Committee adjourned at 11-40 A. M.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON SATURDAY, THE 16TH JULY 1938/1ST KARKATAKAM 1113.

The sixth meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices, at 12-30 P. M. on Saturday, the 16th July 1938/1st Karkatakam 1113.

The following members were present:—

C. O. Madhavan Esq., B. A., B. L., Ag. Chief Secretary to Government—President.

Kochikal P. Balakrishnan Tampi Esq., B. A., B. L., Member, Sri Chitra State Council.

K. Kesavan Esq., B. A., B. L., Member, Sri Mulam Assembly.

A. Thanu Pillai Esq., B. A., B. L., Member, Sri Mulam Assembly.

M. Ramachandra Rao Esq., B. A., Ag. Commissioner of Police.

M. Govinda Pillai Esq., B. A., Ag. Secretary to Government.

The Committee resumed consideration of the Budget proposals for the year 1114.

EXCISE DEPARTMENT.

The Excise Commissioner was present. The Committee took up for consideration the following proposals and agreed to the provision of the amounts noted against each in the Budget.

147. *Re-organisation staff in the Excise Department—continuance in 1114* as per details given below:—

		Rs.
Police Force	...	1,644
Increase in the number of Ranges, C. I. D. Inspectors and Prosecuting Inspectors	...	2,420
C. I. D. staff excluding Inspectors	...	1,144
Increase of Petty Officers and peons	...	69,399
L. A.	...	7,100
Temporary staff of Petty Officers and peons	...	13,255
Ministerial staff	...	4,180
		99,142

			Rs.
148.	*Advance to meet the cost of Maramat works in the Avathanial's and Puthallom Salt Factories*	...	2,500
	Temporary staff for the Anjengo and Tangacherry Settlement	...	2,728

LAND REVENUE.

The land Revenue Commissioner was present during discussion.

The proposals relating to the Revenue Department were all considered and the following provisions were agreed to by the Committee.

		Rs.
149.	*Staff for Karampathippu and Jenmikaram recovery—Provision of funds for* ...	3,070
150.	*Jenmikaram Settlement work—Temporary staff for 1111 M. E.* ...	20,022

A. *Office of the Land Revenue and Income Tax Commissioner*

	Rs.
1 clerk on Rs. 40 in the scale of Rs. 25-40 for 12 months ...	480
1 clerk-typist on Rs. 25 in the scale of Rs. 20-25 for 12 months ...	300
1 copyist on Rs. 15 for 12 months ...	180
Total ...	960
Travelling Allowance ...	200
	1,160

B. *Offices of the Division Peishkars.*

(i) 3 clerks on Rs. 40 each in the scale of Rs. 25-40 for 12 months ...	1,440
3 clerk-typists on Rs. 25 each in the scale of Rs. 20-25 for 12 months ...	900
3 copyists on Rs. 15 each for 12 months ...	540
	2,880
(ii) *Checking staff.*	
3 Checking officers on Rs. 70 each in the scale of Rs. 40-70 for 12 months ...	2,520
3 clerks on Rs. 22 each in the scale of Rs. 20-25 for 12 months ...	792
	3,312
P. T. A. to 3 Checking officers at Rs. 10 for 12 months ...	360
T. A. for the normal staff and checking staff for the three Divisions for 12 months ...	250
	610
Total of (B) ...	6,802

C. *Taluk Offices.*

2 Additional Jenmikaram Settlement Officers on Rs. 50 each in the scale of Rs. 40-70 for 12 months	...	1,200
20 clerks on Rs. 22 each in the scale of Rs. 20-25 for 12 months	...	5,280
18 copyists on Rs. 15 each for 12 months	...	3,240
		9,720
P. T. A. to 2 Additional Jenmikaram Settlement Officers at Rs. 10 for 12 months	...	240
T. A. to the Taluk Jenmikaram Staff for 12 months	...	100
		340
Total of (C)	...	10,060
Total of (A) to (C)	...	18,022

D. *Commutation Committee.*

		Rs.
T. A. to the Members of the Committee	...	2,000
Grand Total (A) to (D)	...	20,022

151. *Continuance of the additional staff of one clerk on Rs. 20-25 and one copyist on Rs. 15 per mensem attached to the Taluk Magistrate's Court, Mavelikara* Rs. 420.

152. *Entertainment of a temporary staff for the survey and demarcation of ryots' roads in the Quilon P. W. Division during 1111 M. E.* Rs. 1,240

153. *Supply of racks to the various offices of the Land Revenue Department.* Rs. 1,000.

154. *Entertainment of a temporary staff for the survey and demarcation of the ryots' roads in the Quilon P. W. Division.* Rs. 451.

155. *Continuance of the staff for the survey of minor circuits* Rs. 74,902.

ESTABLISHMENT.

FIELD STAFF.

	Rs.
Head Surveyors 5 (50)	
Deputy Surveyors 15 (25-3-40)	
Theodolite Surveyors 15 (20)	
Surveyors 100 (14)	28,528

OFFICE STAFF.

Manager 1 (100)	
Head Clerk 1 (50)	
Clerks 2 (20-25)	
Clerk-typist 1 (20-25)	
Head Draftsmen 2 (25-3-40)	
Computor Draftsmen 16 (20)	
Computor Draftsmen 16 (15)	10,216
	38,744
T. A. to Gazetted officers	500
T. A. to establishment	200
P. T. A. to 5 Head Surveyors	590
	1,290

CONTINGENCIES.

Rents	540
Anchal charges	500
Office expenses	150
Mounting of maps	50
Purchase and repair of furniture	200
Purchase of survey instruments	500 (as against Rs. 1,000 proposed by L. R. C.,
Chainmen's wages	24,904
Demarcation and line clearing	8,000
Pay of menials	24
	34,868
Total Rs.	74,902

156. *Survey and sub-division of the lands in Survey No.* **19** *of the Pallivasal Pakuthy.* Rs. 3,000.

157. *Budget estimate for the Income Tax Department for 1114* Rs. 27,884.

Details are as follows:—

A. I. Salary.

			Rs.
	Deputy Commissioner of Income Tax on Rs. 300 for 12 months		3,600
II. Establishment.			
1	Head clerk on Rs. 75-5-100 for 12 months		900
1	Auditor on Rs. 75-5-100	Do.	900
2	Clerks on Rs. 40-5-70	Do.	1,320
1	Clerks on Rs. 25-3-40	Do.	324

1	Typist on Rs. 25-3-40 for 12 months	300
1	Clerk-Typist on Rs. 20-1-25 for 11 months	220
1	Mochee on Rs. 11-1/5-13 for 12 months	132
1	Duffadar on Rs. 11-1/5-13 for 12 months	132
6	Peons on Rs. 9-1/6-11 for 12 months	648
		4,876

B. I.	3 Income Tax Collectors on Rs. 150-10/2-200 (2 at Rs. 175 and 1 at Rs. 150)	6,000
II.	Establishment	
3	Head clerks on Rs. 40-5- 70 for 12 months	2,520
3	Clerks on Rs. 40-5-70 Do.	2,520
3	Clerks on Rs. 25-3-40 for 11 months	825
3	Clerk-typists on Rs. 20-1-25	744
3	Head peons on Rs. 12 for 12 months	432
9	Peons on Rs. 9-1/6-11 Do.	972
		8,013

C.	Travelling Allowance	2,400
D.	Contingencies	
	Purchase and repair of furniture	150
	Purchase of books	100
	Anchal charges	600
	Tour charges	250
	Office expenses	250
	Rents	1,213
	Pay of menials	132
	Remuneration to copyists	100
	Telephone charges	100
	Electric current	100
	Total	2,995
	Grand Total A to D, Rs.	27,884

158. *Temporary establishment for demarcation and survey of encroachments within the Cardamon Hills Reserve.* Rs. 11,183.

Details are as under :

	Rs.
2 Head Surveyors on Rs. 60 each per mensem, 15 Surveyors on Rs. 25 each per mensem, and 7 Computor Draftsmen on Rs. 20 each per mensem	3,530
Local allowance to field staff	819
Travelling allowance	100

Contingencies.	
64 Chainmen at Rs. 9 each per mensem	3,456
Local allowance	1,728
Demarcation charges	1,500
Office expenses	50
	11,183

Provision is made for 6 months in 1114 for the field staff and for 4 months for the office staff.

159. *Entertainment of additional staff in connection with the survey and registry of minor circuits etc.* Rs. 7,974.

Details are as under.

Staff.	*Funds required.* Rs.
7 Clerks on Rs. 20-25 for the Taluk Offices of Nedumangad, Pathanapuram, Kunnathur, Kottarakara, Pathanamthitta, Muvattupuzha and Thodupuzha for 11 months in 1114	1,540
21 Accountants on Rs. 14. each and 21 peons on Rs. 8. each	5,082
1 Revenue Inspector on Rs. 25-40 and 2 peons on Rs. 8. each with the usual allowance and 1 Accountant on Rs. 14 and 1 peon on Rs. 8 for the Peermade Pakuthi for 11 months	892
2 Clerks on Rs. 20-25 for Devicolam and Peermade taluks (including the one already sanctioned for 1113 for Devicolam taluk	460
	7,974

160. *Printing of wall maps*—Rs. 2,000. and

Revision of the Land Revenue Manual Vol. II—Rs. 720.

161. *Additional hands for the Quilon, Trivandrum and Kottayam Division Offices.*—Rs. 480.

162. *Continuance of the Survey School at Kottayam*—Rs. 891.

163. *Continuance of the Temporary staff, for checking puduval sub division sketches, during 1114.*—Rs. 1,760.

164. *Rural reconstruction work.*—Rs. 3,000.

Public Works Department.

The proposals relating to the Public Works Department were next taken up for consideration by the Committee. The Chief Engineer was present. The following proposals were approved by the Committee.

165. *Thottapally Bridge and Spillway.*- Rs. 5,232.

		Rs.
Sub-Engineer	1 on Rs. 200-10/2-250	2,400
Supervisor	1 on Rs. 75-5-100	900
Overseer	1 on Rs. 40-5-70	480
Head clerk	1 on Rs. 25-3-40	300
Clerk	1 on Rs. 20-1-25	240
Clerk-typist	1 on Rs 20-1-25	240
Peons	3 on Rs. 9-1/6-11	324
T. A. and Contingencies		348
	Total Rs.	5,232

166. *Temporary staff for the supervision of the Travancore House at Madras.*—Rs. 1,128.

167. *Temporary Staff for the working of the Canals and Ferries Regulation.* Rs. 840.

168. *Stock taking of furniture in the various offices in the State.* The proposal for the appointment of a staff for stock taking of furniture in the various offices in the State was opposed by the non-official members on the ground that departmental heads and heads of offices might be specially instructed to look into the list of furniture and verify during their inspection and send up a special report about it.

169. *Supervision of the Travancore House, New Delhi.*—Rs. 4,248.

170. *Creation of four temporary posts of peons in the Chief Engineer's office.*—Rs. 432.

171. *Stock taking in the P. W. D. Workshops and Stores Division.*—Rs. 2,355.

172. *Revision of the scales of pay of the P. W. D.*—Rs. 9,048

173. *Continuance of the temporary staff in connection with the construction of the Alwaye Bridge, Left Branch.*—Rs. 4,740.

174. *Reconstitution of the Nagercoil Division with two sub-divisions.* The Committee considered the proposal to have two permanent sub-Divisions in the Nagercoil Division and the provision of Rs. 6,057 for the purpose. The non-official members objected to the additional Sub-Division officer but agreed to the continuance of the one temporary Sub-Division Officer for investigation work, who should be asked to confine to his work within a reasonable time and stated that the allotment should be modified accordingly.

175. *Temporary staff for clearing accounts, arrears in the Trivandrum P. W. D. and Workshops and Stores Division.*—Rs. 570.

176. *Pallivasal Hydro Electric Scheme including Civil Works*—Rs. 39,600.

	Rs.
Pay of the Resident Engineer and his contribution to the State Provident Fund	6,000

1 Head Accountant and Manager Rs. 75-100	1,200
1 Head Clerk on Rs. 40-5-70	540
3 Accounts Clerks on Rs. 25-3-40	1,116
1 Clerk on Rs. 20-1-25	300
1 Stenographer on Rs. 40-5-70	600
1 Typist on Rs. 25-3-40	480
1 Draftsman on Rs. 40-5-70	780
1 Assistant Draftsman on Rs. 25-3-40	480
5 Peons on Rs. 9-1/6-11	540
Total Rs.	12,036
Less 2 Clerks, debited to "Electrical Works Audit Section"	672
	11,364

Head Works and Tunnel Sub-Division, Munnar amalgamated with the Civil Sub-Division.

	Rs.
1 Assistant Engineer on Rs. 250-10/2-300	2,400
1 Head Clerk on Rs. 25-3-40	372
2 Clerks on Rs. 20-1-25	504
1 Draftsman on Rs. 25-3-40	336
1 Peon on Rs. 9-1/6-11	108
	Rs. 3,720

Head Works Section.	
1 Supervisor on Rs. 100-10/2-150	1,440
Tunnel Section, Munnar.	
1 Supervisor on Rs. 75-5-100	900
1 Overseer on Rs. 40-5-70	720
1 Clerk on Rs. 20-1-25	300
1 Peon on Rs. 9-1/6-11	108
	2,028

CIVIL SUB-DIVISION, PALLIVASAL.

	Rs.
1 Assistant Engineer on Rs. 250-10/2-300 ...	3,000
1 Head Clerk on Rs. 25-3-40 ...	372
2 Clerks on Rs. 20-1-25 ...	528
1 Clerk-typist on Rs. 20-1-25 ...	264
1 Draftsman on Rs. 25-3-40 ...	480
2 Sub Overseers on Rs. 25-3-40 ...	672
3 Peons on Rs. 9-1/6-11 ...	324
Rs. ...	5,640

POWER HOUSE SECTION, (ROADS AND BUILDINGS SECTION).

		Rs.
1 Supervisor on Rs. 75-5-100	...	960
1 Clerk on Rs. 20-1-25	...	300
1 Peon on Rs. 9-1/6-11	...	108
Rs.	...	1,368

CHIEF ENGINEER'S OFFICE.

		Rs.
Draftsman on Rs. 40-5-70	...	480
Travelling Allowance including fixed or local allowances	...	11,500
Contingencies	...	2,000
Rs.	...	13,980

177. *Improvements to the Irrigation Works in the taluks of Neyyattinkara, Trivandrum, Nedumangad and a portion of the Vilavankod taluk* ... 2,500

178. *Construction of a permanent building for Clay Refining and Porcelain Factory at Kundara* Rs. 205

179. *Council Chamber, Trivandrum, Capital outlay on Civil Works.* Rs. 1,00,000

DETAILS.

1 Supervisor on Rs. 100-10/2-150	...	1,200
1 Sub-Overseer on Rs. 40-5-70	...	840
1 Clerk on Rs. 20-1-25	...	240
2 Peons on Rs. 9-1/6-11	...	216
2 Architectural Draftsmen for the Chief Engineer's office 1 (100-10/2-150) 1 (75-5-100)	...	2,100
Travelling Allowance and contingencies	...	300
		4,896
Works	...	95,104
Total Rs.	...	1,00,000

180. *Construction of a tobacco Bankshall at Trivandrum* Rs. ... 50,000

The following items were objected to by the non-official members of the Committee for the reasons noted under each.

181. *The University Buildings*— Rs. 2,00,000.

The non-official members unanimously opposed the provision on the ground that Government had stated that any large amount would

not be required for the construction of additional buildings for the University and that at least only structural alterations to the existing buildings would be required and that no details of the works or of the staff required or, even for the matter of that, of the University's requirements in the matter of accommodation had been given.

182 *Town Planning Scheme*— Rs. 3,00,000.

Mr. Thanu Pillai stated that he could not express any opinion without an idea as to the works to be done. Messrs P. Balakrishnan Tampi and K. Kesavan opposed the provision on the ground that it was a big allotment for improvement to the town which would be in the nature of a luxury.

183. *Co-operative Department.*

The proposal for the entertainment of additional staff and for contingencies in the Co-operative Department for the year 1114 was approved as also the provision of a sum of Rs. 23,511 therefor in the Budget for 1114 as per details below.

			Rs.
1	Continuance of the Personal Assistant to the Registrar of Co-operative Societies	...	1,265
2	Accountant for the Registrar's office	...	410
3	Temporary staff of clerk and copyist	...	860
4	Continuance of Sale officers	...	1,907
5	P. T. A. to Do.	...	1,056
6	Redistribution of the number of Inspectors in the different grade	...	220
7	Liquidation Inspectors	...	5,890
8	Subsidy to non-official bodies	...	3,800
9	Propaganda for cottage industries	...	500
10	Subsidy to Gorasa Vyavasaya Co-operative Society Ltd. Neyyattinkara	...	500
11	Central Produce Society Ltd., Alleppey	...	3,303
12	Additional allotment under T. A. and contingencies	...	4,270

In regard to item No. 6 the non-officials whole-heartedly agreed to increasing the number in the higher grade on the parallel obtaining in other Departments, especially in the Account Office and the Secretariat. They also proposed that the proportion in the different grades must be standardised.

184. *Water Works and Drainage Department.*

The Committee next considered the proposals relating to the Water Works and Drainage Departments. The Water Works and Drainage Engineer to Government was also present. The Committee agreed to make provision for the following:—

1	(Direction office)	...	27,197
2	Trivandrum Water Works Division	...	23,208
3	Willingdon Water Works (Working expenses) establishment		1,09,453

4 Water supply installation in Palaces and Government buildings Rs. 49,000.
5 Willingdon Water Works, I and II stages and supplemental works Rs. 1,05,750.
6 Nagercoil Water Supply Scheme—Rs. 6·53 lakhs.
7 Covering up Cochar channel—Rs. 5,000.
8 Trivandrum Drainage Scheme lump allotment works—Rs. 8 lakhs. Establishment—Rs. 52,181.
9 Sanitary installation to Government buildings—Rs. 27,082.
10 Alleppey and Shencottah—Water Works Division office—Rs. 19,590.
11 Alleppey Water Works—Rs. 4,30,100.
12 Water Supply Scheme for Shencottah—Rs. 1,24,605.
13 Alleppey Drainage Scheme—Rs. 40,000.
14 Water Supply—investigation in Shertalai taluk—Rs. 6,000.
15 Water Supply in isolated areas—Rs. 1,000.

Mr. Balakrishnan Tampi suggested that the erection of pumps and minor works in Sabarimala could be entrusted to the Water Works Department as the experience gained by the Department in that direction could be requisitioned for that purpose.

FOREST.

185. The non-official members opposed the proposals relating to the Department of the Director of Development and the provision of Rs. 1·5 lakhs for the purpose. They stated that "most of the purposes for which money is to be applied seem to be of an experimental and speculative kind, whose utility and success have not been sufficiently established".

The following items were considered one after another and passed by the Committee.

DEPARTMENT OF AGRICULTURE.

186. Continuance of two Itinerant Veterinary Inspectors appointed for stamping out Anthrax from the State—Rs. 1,914.

INDUSTRIES DEPARTMENT.

187. Building grant to the Nazareth Orphanage School, Mayyanad—Rs. 2,350.

PUBLIC HEALTH LABORATORY.

188. Regarding the revision of pay of the Chief Microscopist, from 25-3/2-40 to 40-5-70, the non-official members stated that the question need be taken up after the present incumbent reaches the maximum in his personal scale of pay.

GENERAL ADMINISTRATION.

189. Charges for printing the revised State Manual—Rs. 2,400.

OBSERVATORY.

190. The Meteorological Branch—House rent allowance to the Pilot Balloon staff—Rs. 198.

TRANSPORT DEPARTMENT.

191. Opening of Road Transport between Alwaye and Munnar and Water Transport between Alwaye and Cochin—Rs. 3,70,955.

The details are as under:

(i) Road Transport—Alwaye-Munnar—Rs. 2,35,500.		
Land	2,000	
Buildings	26,000	
Rolling stock	82,500	
Reconstruction of bridges &c.	1,25,000	
(ii) Water Transport—Alwaye-Cochin		39,000
2 Diesel Engine Tugs		24,000
6 20 Ton lighters		15,000
(iii) Working expenses		94,805
(iv) Assistant Engineer on Rs. (150-10/2-300)		1,650
	Total Rs.	3,70,455

The non-official members suggested that the purchases in this Department also might be made through the Stores Purchase Committee.

REGISTRATION DEPARTMENT.

192. Appointment of a boy peon on Rs. 7 per mensem to serve the Inspector of Joint Stock Companies—Rs. 77.

PART I BUDGET.

The Committee then took up for consideration Part I of the Budget and passed the following demands:—

Land Revenue
Stamps
Registration

Under salaries of Director the non-official members unanimously objected to the Director of Registration being given anything over Rs. 3,600 per annum and that an officer with a high salary need not be posted to this place and that the figure 5,250 should be reduced by Rs. 1,650. Under salaries of District Registrars all the non-official members voted for a sum of Rs. 6,050 instead of Rs. 7,250.

Administration of Justice.
Jails.
Police.
Ports.

Mr. Kochikal P. Balakrishnan Tampi suggested that there was no necessity for a separate Port officer and that the Assistant Excise Commissioner, Mavelikara, might be made ex-officio Port Officer also.

Agriculture and Fisheries
Industries
Co-operative Department.
Uplift of backward Communities
Medical, Public Health and Sanitation
Currency and Mint.

Anchal.
General Administration.

Regarding the salary of the Director of Information, the non-officials stated that in their view, the Director of Information had lowered the morale of journalism in the state and that the provision of a sum of Rs. 4,200 was unjustifiable. They stated that the staff however might continue and that an Assistant Secretary or the senior Superintendent might be in charge of the office.

Stationery and Printing.
Productive Irrigation Works.
Electricity and Telephone.
The Willingdon Water Works, Trivandrum.
Taxes on Income.
Forest.

When the Education Demand was under consideration, the non-official members protested that the budget of the Travancore University was not placed before the Finance Committee.

The Committee adjourned at 7 P. M. to meet again the next day at 11-30 A. M.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON SUNDAY, THE 17TH JULY 1938/2ND KARKATAKAM 1113.

The seventh meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices, at 11-30 A. M. on Sunday, the 17th July 1938/2nd Karkatakam 1113.

The following members were present :—

C. O. Madhavan Esq., B. A., B. L., Ag. Chief Secretary to Government—President.

Kochikal P. Balakrishnan Thampi Esq., B. A., B. L., Member, Sri Chitra State Council.

K. Kesavan Esq., B. A., B. L., Member, Sri Mulam Assembly.

A. Thanu Pillai Esq., B. A., B. L., Member, Sri Mulam Assembly.

M. Ramachandra Rao Esq., B. A., Ag. Commissioner of Police.

M. Govinda Pillai Esq., B. A., Ag. Secretary to Government.

Education.

The Committee took up for consideration Part I Budget.—Education Demand.

Regarding the provision for the special school for Malayala Brahmins Mr. K. Kesavan said that he objected to it on the ground that public funds should not be set out for any particular community. The other two non-official members did not object to this provision.

Regarding the provision of Rs. 6,800, towards contribution to the Boys' Scouts Association, the non-official members were unanimously of the opinion that it was irregular for the Government to give an additional grant of Rs. 1,800 for the Boys' Scouts Association for the specific purpose of appointing an organising Secretary without reference to the legislature even after the Finance Committee turned down the proposal and that therefore the sum of Rs. 1,800 be omitted.

University.

Regarding the provision of a lump sum of Rs. 8 lakhs for the Travancore University, the non-official members stated that they could not consider it without understanding the fuller details and implications of the whole scheme.

Scientific and Miscellaneous Departments.

Regarding the provision for the Photographic Department, the non-official members said that the Photographic Department was presumably established at a time when private photographers had not the same technical equipment, and that since competent private enterprise was by no means unavailable at the present time and since the Department all these years has not been making considerable profits, there was no reason why private enterprise should not be patronised and the Photographic Department abolished.

Public Library.

The non-official members were unanimous that the local allowance of Rs. 600 to the Honorary Secretary might be abolished as there were enough qualified men to take up the duty without any allowance.

Archaeological Department.

The non-official members unanimously moved for the abolition of a separate department for Archaeology and suggested that the work done now by the Department might be entrusted to the department of History and Archaeology in the Travancore University.

Miscellaneous was then passed by the Committee.

Commercial Transport.

In passing this demand, the non-official members suggested that the requirements of this department should also be got through the Stores Purchase Committee.

State Charities was next passed by the Committee.

The Committee considered last the abstract of the detailed Budget of the P. W. D. for the year 1114 M. E.

Mr. Balakrishnan Tampi made the following suggestions :—

(1) That the possibility of reducing the number of Executive Engineers must be considered in view of the appointment of the Deputy Chief Engineer in view of the diversion of work incidental to the formation of the Water Works and Drainage Departments and in view of a separate Engineer for Irrigation.

(2) That the Edathua-Ambalapuzha road which serves to link up the main central road with the coastal road and also the Kayamcolam—Karthikapalli road may be taken up because Government have more than once promised to consider the proposals favourably.

Mr. Kesavan stated that the Dewan visited the roads branching from the Quilon—Alleppey road towards the east and west, including the new ryots' roads and suggested that these roads might be taken up as far as possible in 1114.

The Committee adjourned *sine die* at 2-30 P. M.

R. KRISHNASWAMY RAO,
Convener, Standing Finance Committee.

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TO THE PROCEEDINGS of

THE TRAVANCORE SRI CHITRA STATE COUNCIL

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SRI CHITRA STATE COUNCIL

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